

## **Closed Caption Log, Council Meeting, 05/24/07**

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Mayor Wynn: GOOD MORNING. I AM AUSTIN MAYOR WILL WYNN. IT IS MY PLEASURE TO ASK DR. MARVIN GRIFFIN, PASTOR OF EBENEZER BAPTIST CHURCH TO LEAD US IN PRAYER. PLEASE RISE.

LET US PRAY. YOU ARE THE FATHER AND WE ARE THE CLAY. MOLD AND MAKE US TO YOUR WILL, OH, GOD, GRANT THAT YOUR SPIRIT MAY GUIDE THE MAYOR, THE COUNCILMEMBERS AND THE PEOPLE OF AUSTIN AND DOING THAT WHICH IS PLEASING IN YOUR SIGHT, BE AND WE'LL GIVE YOU THE GLORY, AMEN.

THANK YOU, REVEREND GRIFFIN. WE SHARED A GREAT DAY YESTERDAY WITH REVEREND GRIFFIN AS WE CUT THE RIBBON ON THE FIRST PHASE OF A DEVELOPMENT NEXT DOOR TO EBENEZER BAPTIST CHURCH THAT THE CHURCH SINCE 1875 HAS ANCHORED VERY WELL. A GREAT DAY YESTERDAY. GREAT TO SEE YOU AGAIN. THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'RE IN THE CITY COUNCIL CHAMBERS HERE AT THE CITY HALL BUILDING. IT'S ABOUT 16 MINUTES AFTER 10 IN THE MORNING. WE HAVE A FEW CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA, BUT BEFORE I GO THROUGH THOSE TO BEGIN OUR CONSENT AGENDA PROCESS, AT THIS TIME I'LL ASK IF ANY COUNCILMEMBERS KNOW OF AN ITEM FROM COUNCIL THAT THEY MIGHT BE BRINGING OVER THE NEXT WEEK OR TWO OR MEETING OR TWO. ANY UPCOMING ITEMS?

COUNCILMEMBER KIM.

Kim:.

Kim: THANK YOU, MAYOR. PROBABLY AT THE JUNE 21st MEETING I WILL BE INTRODUCING A RESOLUTION TO CREATE A FAMILIES AND CHILDREN TASKFORCE WORKING WITH THE COUNTY, TRAVIS COUNTY, AND AISD LOOKING AT THREE SPECIFIC ISSUES, HOUSING, APPROPRIATE SIZED HOUSING, MAKE SURE WE HAVE ENOUGH HOUSING THAT IS FAMILY SIZED, AND ALSO LOOKING AT CHILD CARE, AS WE'VE SEEN A COUPLE OF CASES HERE WHERE OUR CHILD CARE FACILITIES ARE AT RISK OF LOSING THEIR LEASE AND NOT BEING ABLE TO RELOCATE OR EVEN START-UP NEW CHILD CARE FACILITIES, AND TRANSPORTATION FOR FAMILIES.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER ITEMS? COUNCILMEMBER MARTINEZ.

Martinez: THANK YOU, MAYOR. THE PUBLIC SAFETY TASKFORCE HAS BEEN MEETING EVERY OTHER WEEK FOR THE LAST COUPLE OF MONTHS, AND ON JUNE FOURTH WE ARE GOING TO TAKE UP ANY ITEMS THAT POTENTIALLY WOULD MAKE RECOMMENDATIONS TO COUNCIL AS WE GO INTO THE BUDGET CYCLE. SO IT LOOKS LIKE MORE THAN LIKELY JUNE THE 21st WILL BE JUST A RESOLUTION FROM THE PUBLIC SAFETY TASKFORCE ASKING COUNCIL TO KEEP IN MIND CERTAIN TOPICS AS WE GO INTO THIS YEAR'S BUDGET NEGOTIATIONS.

OKAY. ADDITIONAL ITEMS TO BE ANNOUNCED I WANT TO ANNOUNCE THAT TODAY IS THE LAST DAY OF SCHOOL FOR MANY AISD SCHOOLS AND TODAY IS GRADUATION DAY FOR A NUMBER BE OF KIDS, INCLUDING FIFTH GRADERS. I JUST ATTENDED THE GRADUATION CEREMONY AT CASIS ELEMENTARY. AND I THINK COUNCILMEMBER MARTINEZ MAY IN A COUPLE OF MINUTES SLIP OFF TO ATTEND ANOTHER. CONGRATULATIONS TO OUR STUDENTS WHO ARE ENJOYING THE LAST DAY OF SCHOOL FOR THE DAYBREAK YEAR. HOPE THEY HAVE A SAFE SUMMER. SO WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. I SHOULD NOTE THAT ON ITEM NO. 10 IT LACKS LIKE WE SHOULD -- IT LOOKS LIKE WE SHOULD STRIKE THE KNOW

NATION OF FISCAL YEAR 2007-2008 AND CORRECT IT TO THE FISCAL YEAR '06-'07. ON ITEM NUMBER 13 WE SHOULD INSERT THE WORDS IMPROVEMENT PLANS SO IT WOULD ACTUALLY BE THE FISCAL YEAR '06-'07 CAPITAL IMPROVEMENT PLAN BUDGET OF THE WATER UTILITY. ON WATER NUMBER 49 WE NEED TO INSERT THE WORDS NEIGHBORHOOD OFFICE AND ADD THAT N.O. DESIGNATION TO THAT STAFF RECOMMENDATION ON THE ZONING. AND THEN THE SAME THING WITH THE PLANNING COMMISSION RECOMMENDATION, NEIGHBORHOOD OFFICE N.O. WE SHOULD ALSO NOTE THAT NOW A VALID PETITION HAS BEEN FILED IN OPPOSITION TO THIS REZONING REQUEST. THAT'S ITEM NUMBER 49. ON ITEM NUMBER 53 WE SHOULD CORRECT THE CASE NUMBER AND IT SHOULD BE C 14-2007-00011. ON ITEM NUMBER 64 WE NEED TO STRIKE THE WORD DUPLEX AND INSERT THE WORD RESIDENCE. THIS IS A FLOODPLAIN VARIANCE THAT WILL EXCLUDE THE FOOTPRINT OF THE PROPOSED RESIDENCE, NOT DUPLEX. AND ITEM NUMBER 66 WE SHOULD NOTE THAT THIS IS AMENDMENT NUMBER 6, NOT 5, WITH KPMG. AND THAT IS AWARDED IN COMPLIANCE WITH THE CITY CHAPTER 2-9-B OF THE CITY CODE. WE SHOULD ALSO STRIKE THAT NO SUBCONTRACTING OPPORTUNITIES WERE IDENTIFIED, THEREFORE NO GOALS WERE ESTABLISHED FOR THIS PROCUREMENT BECAUSE IN FACT WE SHOULD CORRECT IT AND INSERT THAT THERE'S A 50% MBE AND ZERO PERCENT WBE CONSULTING PARTICIPATION. ITEM NUMBER 66 ON THIS WEEK'S ACTION WAS OUR ADDENDUM ITEM ON THIS WEEK'S AGENDA. SO FAR, COUNCIL, WE HAVE -- I SHOULD ANNOUNCE THE SCHEDULE TODAY. AS SOON AS WE FINISH OUR CONSENT AGENDA, WE'RE GOING STRAIGHT TO OUR MORNING BRIEFING, WHICH IS REGARDING THE GREEN WATER TREATMENT PLANT. WE'RE ACTUALLY GOING TO HAVE A COUPLE OF COUNCILMEMBERS OFF THE DAIS THIS MORNING, SO WE'LL CONDUCT THAT BRIEFING AS OPPOSED TO DOING SOME MORE OF THE LENGTHIER DISCUSSION ITEMS ON POTENTIAL ACTION ITEMS. AT NOON WE'LL GO TO OUR GENERAL CITIZEN COMMUNICATIONS. AT 3:00 TECHNICALLY WE'LL RECESS THE MEETING OF THE CITY COUNCIL AND CONDUCT OUR AUSTIN HOUSING FINANCE CORPORATION BOARD MEETING AND WORK ON THAT SHORT AGENDA. AT 4:00 O'CLOCK IS ZONING CASES. 5:30 WE BREAK

FOR LIVE MUSIC AND PROCLAMATIONS AS ALWAYS. AND 6:00 P.M. WE HAVE PUBLIC HEARINGS AND SOME POSSIBLE ACTIONS INCLUDING A NUMBER OF POTENTIAL ANNEXATION PUBLIC HEARINGS. SO FAR, COUNCIL, WE HAVE FOUR ITEMS PULLED OFF THE CONSENT AGENDA. ALL BY ME, BUT I THINK OTHER COUNCILMEMBERS CERTAINLY HAD QUESTIONS ABOUT THEM. THAT'S ITEMS NUMBER 5 AND 7 THAT RELATE TO THE LOST CREEK COUNTRY CLUB OR THE STRATEGIC PARTNERSHIP AGREEMENT WITH THE LOST CREEK P.U.D. ITEM NUMBER NINE IS A SOLID WASTE SERVICES POTENTIAL CONTRACT AND ITEM NUMBER 66, OUR AUDIT CONTRACT. I ACTUALLY HAVE LEGAL QUESTIONS ABOUT ALL FOUR OF THOSE, SO I'LL ASK OUR CITY ATTORNEY TO REMIND ME TO ANNOUNCE THOSE AS WE GO INTO CLOSED SESSION AT SOME POINT TODAY FOR LEGAL QUESTIONS REGARDING THOSE FOUR POTENTIAL ACTION ITEMS. SO COUNCIL, ANY OTHER ITEMS TO BE PULLED OFF THE CONSENT AGENDA? COUNCILMEMBER MARTINEZ?

Martinez: SORRY, MAYOR. I DON'T KNOW IF IT NEEDS TO BE PULLED OFF, BUT THERE MIGHT BE A SPEAKER OR TWO ON ITEM NUMBER 24. AND I'LL JUST MAKE SOME COMMENTS DURING CONSENT AGENDA SO WE DON'T HAVE TO PULL IT.

CORRECT. I'M SORRY, ITEM 24 WE HAVE ONE SPEAKER SIGNED UP AND I WAS GOING RECOGNIZE HIM AS PART OF THE CONSENT AGENDA. THANK YOU. SO COUNCIL, WITH THAT I WILL READ OUR PROPOSED CONSENT AGENDA THIS MORNING. IT WILL BE: TO APPROVE ITEMS 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 13 PER CHANGES AND CORRECTION, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31 ARE OUR BOARD AND COMMISSION APPOINTMENTS THAT I'LL READ INTO THE RECORD. THOSE WILL BE TO OUR ARTS COMMISSION, KATHLEEN HARMON AS COUNCILMEMBER MCCRACKEN'S REAPPOINTMENT. AND TO OUR PARKS AND RECREATION BOARD, CLINT SMALL IS MY REAPPOINTMENT. CONTINUEOGWITH THE CONSENT AGENDA, WE'LL BE APPROVING ITEMS 32, 33, 34 AND 35. DO I HAVE A MOTION ON THE CONSENT AGENDA?

Leffingwell: ITEM NUMBER BE 10 YOU READ AS A PART OF CONSENT, AND I BELIEVE THAT'S SCHEDULED FOR CLOSED

SESSION. IS THAT CORRECT?

COUNCILMEMBER, IT IS POSTED FOR AN EXECUTIVE SESSION, BUT I WAS INFORMED BY MEMBERS OF OUR NEGOTIATING TEAM THAT THAT EXECUTIVE SESSION FROM OUR PERSPECTIVE IS NOT NECESSARY. OF COURSE, IF COUNCIL WOULD LIKE TO HEAR SOMETHING, WE WILL DO THAT.

Leffingwell: OKAY. JUST CLARIFICATION. I'M FINE.

Mayor Wynn: SO ITEM 10 WILL REMAIN ON THE CONSENT AGENDA. MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MARTINEZ TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS? COUNCILMEMBER MARTINEZ?

Martinez: ON ITEM 10 I JUST WANT TO CONGRATULATE OUR GROUP, CHIEF MILLS, THE LAW ENFORCEMENT GUYS THAT ARE HERE TODAY, AND OUR NEGOTIATING TEAM. WE HAVE REACHED MUTUAL AGREEMENT ON ANOTHER MEET AND CONFER PROCESS, AND I THINK IT SPEAKS VERY WELL OF OUR EMPLOYEES AND OUR STAFF WHO HELPED NEGOTIATE THIS CONTRACT. SO CONGRATULATIONS AND THANK YOU.

Mayor Wynn: YES, THANK YOU. FURTHER COMMENTS ON THE CONSENT AGENDA? WE HAVE ONE SPEAKER SIGNED UP ON ITEM NUMBER 24, ANDY RAMIREZ, WHO I SAW EARLIER. WELCOME.

MAYOR, MEMBERS OF THE COUNCIL, I JUST WANTED TO COME BEFORE YOU TO EXPRESS NOT ONLY MY APPRECIATION FOR THIS AWARD, BUT ALSO TO MAKE A SPECIAL NOTE ABOUT THE EFFORTS OF MR. PETE COLLINS AND MR. MIKE SIMPSON AS THEY HAVE, I THINK, EXERCISED A SIGNIFICANT EFFORT TO BASICALLY PROVIDE OPPORTUNITIES TO SMALL BUSINESSES AND SMALL MINORITY-OWNED BUSINESSES AND HAVE TAKEN AN INITIATIVE THAT IN MY OPINION SHOULD BE A MODEL FOR OUR DEPARTMENTS IN THE -- FOR OTHER DEPARTMENTS IN THE CITY. AS ALL OF YOU WILL KNOW, I AM A LIFELONG RESIDENT OF THIS CITY AND I'VE SEEN AND I WAS PART OF THE EFFORT TO WRITE THE NEW ORDINANCE BACK MANY

YEARS BACK. AND I'VE SEEN IT IN THE PAST WHERE THERE'S BEEN A LOT OF EFFORT TO INCLUDE MINORITIES AND MAKE SURE THERE'S MINORITY PARTICIPATION. THEN THERE WAS A LULL AND VERY LITTLE WAS HAPPENING. THIS COUNCIL HAS OBVIOUSLY TAKEN A MUCH MORE AGGRESSIVE POSITION AND IT IS APPRECIATED BY OUR COMMUNITY, AND SMALL BUSINESSES AS WELL. IT'S SOMETHING THAT I THINK IS GOING A LONG WAYS TO CREATING NEW JOBS IN THIS CITY. WE'RE LOCATED IN THE HUB ZONE OF THIS CITY AND WE'RE ALSO A CERTIFIED SMALL BUSINESS BY THE FEDERAL GOVERNMENT, THE STATE AND THE CITY. AGAIN, I WANTED TO THANK THE COUNCIL AND ALSO THANK MR. COLLINS AND MR. MIKE SIMPSON. THANK YOU.

Mayor Wynn: THANK YOU, MR. RAMIREZ. EXCUSE ME.

Martinez: MAYOR? I DON'T KNOW IF MR. COLLINS AND MR. SIMPSON ARE HERE. I DON'T WANT TO SOUND LIKE A BROKEN RECORD, BUT PETE COMES DOWN TO OUR MBE, WBE SUBCOMMITTEES. HE MAKES EVERY EFFORT TO TRY TO REACH OUT TO HELPING THE SMALL MINORITY BUSINESSES IN THIS COMMUNITY WITH THE WORK THAT HE OVERSEES. SO I CERTAINLY WANT TO CONGRATULATE HIM AND THANK HIM FOR HIS EFFORT. BUT AT THE SAME TIME IT EVEN SPEAKS MORE TO OUR CITY BUDGET WHEN YOU CAN OUTSOURCE A LITTLE BIT OF WORK KNOWING THAT YOU'RE GOING TO HAVE SOME OVERAGE AND NOT HAVE TO GO THROUGH A FULL F.T.E. HIRING PROCESS AND ADDING TO A DEPARTMENT THAT MAY NOT NECESSARILY NEED AN ADDITIONAL F.T.E. I THINK IT SPEAKS TO FISCALLY BEING SPONLFOBL RESPONSIBLE FOR THE AREA THAT YOU SERVE. SO I WANT TO CONGRATULATE THEM AS WELL AND THANK THEM FOR THEIR WORK. AND I LOOK FORWARD TO CONTINUING TO WORK WITH THEM TO TRY TO SEE WHERE WE CAN EXPAND IDEAS AND SUGGESTIONS HIKE THIS THROUGHOUT OTHER CITY DEPARTMENTS.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? AGAIN, WE HAVE A MOTION AND A SECOND ON THE TABLE. MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA

AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. ALL IN FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH ONE COUNCILMEMBER OFF THE DIE DAIS. WE'RE GOING MISS COUNCILMEMBER MARTINEZ FOR A FEW MINUTES, LEAVING US WITH WITH FIVE, AND I THOUGHT THIS WOULD BE A GOOD TIME FOR US TO TA HAVE OUR MORNING BRIEFING SINCE THAT'S NO ACTION TO BE TAKEN. IT BEING 10:30, I BELIEVE WE CAN TAKE UP OUR MORNING PRESENTATION, THAT BEING THE GREENT WATER TREATMENT PLANT AND THE PROPOSED DECOMMISSIONING OF THAT PIECE OF PROPERTY. AND WELCOME MS. LAURA HUFFMAN.

THANK YOU. WE'RE HERE TO GIVE YOU AN UPDATE ON THE GREEN WATER TREATMENT PLANT, THE DECOMMISSIONING WHICH IS GOING TO PREPARE THIS SITE FOR REDEVELOPMENT. I WANT TO START BY -- DO YOU WANT MY TO WAIT?

Mayor Wynn: FOLKS, IF YOU WOULDN'T MIND, IF YOU COULD TAKE YOUR CONVERSATION OUT TO THE FOYER, WE WOULD APPRECIATE IT. WE WANT TO MAKE SURE WE GET THIS PRESENTATION HEARD AND RECORDED. THANK YOU ALL VERY MUCH. WELCOME BACK, MS. HUFFMAN.

THANK YOU. WHAT I'D LIKE TO DO IS FIRST TALK ABOUT THE COMPREHENSIVE TEAM THAT IS PUT TOGETHER IN ORDER FOR THIS PROJECT TO COME TOGETHER. THIS IS PROBABLY THE MOST CROSS CUTTING TEAM WE HAVE WORKOGANY PROJECT IN THE ORGANIZATION RIGHT NOW BECAUSE THERE ARE SO MANY MOVING PARTS TO THIS REDEVELOPMENT PROJECT. AND ECONOMIC GROWTH AND REDEVELOPMENT SERVICES WE HAVE SUE EDWARDS AND RODNEY GONEGONZALES. OUR HOUSING DEPARTMENT WILL BE IN THIS PROJECT LED BY KRISTIN AND PAUL HILGERS. PUBLIC WORKS IS HELPING WITH THE INFRASTRUCTURE PROJECTS AND THE PROJECT MANAGEMENT FOR THE DECOMMISSIONING WITH RUDY GARZA AND SANDRA CRY TON. THE AUSTIN WATER UTILITY OF COURSE WITH THE DECOMMISSIONING PROJECT LED BY (INDISCERNIBLE). AND OF COURSE THE LIBRARY DEPARTMENT WITH BURT AND LINDA. AND THEN WE HAVE OUR FINANCE TEAM THAT WILL BE WORKING WITH US AND ON THIS PROJECT WE HAVE

GREG CANALES. ONE OF OUR GOALS IS TO KEEP YOU ACTIVELY INVOLVED IN THE POLICY DISCUSSION. WE WANT TO COME WITH YOU OFTEN AND TEE UP THE VARIO DISCUSSIONS THAT NEED TO BE TEED UP AS WE MOVE THROUGH WHAT WILL AMOUNT TO A MULTI-YEAR PROJECT. SO OUR PURPOSE TODAY IS GOING TO BE TO RECAP PREVIOUS COUNCIL RESPONSES, AND THIS WILL DATE BACK TO THE PRESENTATION WE DID BEFORE THE HOLIDAYS. WE WANT TO GIVE YOU AN UPDATE ON THE DECOMMISSIONING PROJECT. THIS IS A VERY COMPLICATED PROJECT. THIS IS IS FIRST DECOMMISSIONING OF A WATER TREATMENT PLANT THAT WE'VE HAD IN AUSTIN AND WE WANT TO KEEP YOU POSTED BECAUSE WE PROBABLY WILL FIND SURPRISES ALONG THE WAY WITH THAT PROJECT. WE WANT TO TALK TO YOU ABOUT THE REDEVELOPMENT POTENTIAL AND SHOW YOU SOME VERY FIRM NUMBERS ON THIS SITE AND WHAT KIND OF DENSITIES COULD BE ACHIEVED AND HOW THOSE DENSITIES COULD ULTIMATELY AFFECT THE FINANCIALS FOR THE REDEVELOPMENT PROJECT. AND THEN MOST IMPORTANTLY WHAT WE WANT TO DO TO IS BEGIN TEEING UP THE POLICY DISCUSSIONS AND THING YOU HAVE MENTIONED TO US ALONG THE WAY SO WHEN WE WRITE THE R.F.P. FOR THIS PROJECT WE ARE ACCURATELY CAPTURING YOUR POLICY GOALS. WE THINK THE STRONGEST FOOT FORWARD THAT WE CAN PUT HERE IS TO WRITE AN R.F.P. THAT ACCURATELY REFLECT YOUR GOALS SO THAT WHEN THE RESPONSES COME IN WE HAVE AN EVEN PLAYING FIELD AND THEY KNOW EXACTLY WHAT IT IS THAT WE'RE LOOKING FOR. SO QUICKLY IN OCTOBER OF 2006 WE CAME TO THE CITY COUNCIL AND GAVE YOU A VERY BASIC BRIEFING. IT WAS MOSTLY A DESCRIPTION OF THE COMPONENTS OF THE PROJECT AND A TIME LINE FOR HOW THE PROJECT WOULD FIT TOGETHER. WE TALKED TO YOU AT THAT TIME ABOUT WORKING AROUND A REQUEST FOR A PROPOSAL VERSUS A REQUEST FOR QUALIFICATIONS. AND ALSO TALKED AT THE TIME THAT WE WOULD COME TO YOU WITH TOP THREE FINALISTS UNRANKED, RECOGNIZING THAT THIS IS AN ENORMOUS REDEVELOPMENT OPPORTUNITY FOR THE CITY OF AUSTIN, WHAT WE THINK WOULD BE APPROPRIATE IS FOR YOU ALL TO HAVE THE OPPORTUNITY TO INTERVIEW FINALISTS AND TO MAKE DECISIONS AS A COUNCIL. SO AT THIS POINT OUR PLAN IS TO BRING TO YOU

FINALISTS. AND WE TALKED AT THAT TIME ABOUT A FEASIBILITY STUDY. WE THINK ONE OF THE THING THAT WE CAN DO GOING INTO THIS PROJECT TO POSITION OURSELVES THE MOST AND THE BEST WAY IS TO HAVE A FEASIBILITY OF THE LAND BEFORE WE WRITE THAT R.F.P. THAT FEASIBILITY STUDY IS GOING TO GIVE US AN IDEA OF WHAT THE FINANCIAL MODEL COULD LOOK LIKE FOR THE REDEVELOPMENT AND WE THINK IT COULD REALLY HELP INFORM HOW AGGRESSIVE WE CAN BE WITH OUR POLICY GOALS, IN PARTICULAR THINGS LIKE AFFORDABLE HOUSING ON THE SITE. WHAT WE WANT TO DO NOW IS I WANTED TO LIKE TO RECAP THIS. AS WITH ALL OUR PUBLIC-PRIVATE PARTNERSHIP, THE INFRASTRUCTURE ENDS UP BEING THE PART OF THE PROJECT WE PARTICIPATE MOST HEAVILY IN. AND THIS IS A SLIDE FROM THE LAST PRESENTATION THAT SIMPLY SHOWS YOU THE ESTIMATED COST AND THE VARIOUS INFRASTRUCTURE PROJECTS THAT ARE PART OF THIS. AND THEIR ESTIMATES. WE'VE GOT \$16 MILLION FOR THE DECOMMISSIONING AND THE DEMOLITION. THERE'S A SHOAL CREEK BANK STABILIZATION PROJECT THAT IS ESTIMATED AT ONE MILLION DOLLARS. SIX AND A HALF MILLION DOLLARS FOR ROADWAYS. AND WE'LL SHOW YOU A MAP HERE IN A MOMENT, WE'LL SHOW YOU WHAT IT DOESN'T INCLUDE, BUT IT DOES INCLUDE REINSTATING THE GRID, WHICH WAS VERY IMPORTANT TO THE CITY COUNCIL. HALF A MILLION DOLLARS TO MOVE SOME ELECTRIC LINES AND LOCATIONS OF WATER AND WASTEWATER LINES AT \$3.5 MILLION. AT THIS POINT WHAT WE'RE PLANNING ON IS THAT ALL OF THESE COSTS, EXCEPT FOR THE ROADWAYS, WOULD BE REIMBURSED FROM ANY LAND SALE PROCEEDS. NOW, WHEN WE SAY THAT WE HAVEN'T MADE THE PRESUMPTION THAT THE LAND WOULD BE SOLD VERSUS LEASED, WE'RE SIMPLY TEEING UP THE IDEA THAT IF THE LAND IS SOLD THAT THAT MONEY WOULD BE USED TO REIMBURSE THE UTILITY FOR ITS DECOMMISSIONING COST. THE NEXT SLIDE SHOWS YOU THE SITE, BE AND IN THE SOLID LINES YOU SEE THE STREETS THAT ARE FUNDED, THE STREETS THAT I REFER TO IN THE PREVIOUS SLIDE, WHICH IS NUECES STREET AND SECOND STREET, AND THEN IF YOU LOOK AT THE GREEN AND YELLOW AREAS, THESE ARE THE THINGS THAT ARE NOT YET FUNDED THAT WE'RE EVALUATING RIGHT NOW. AND YOU EXPRESSED AN INTEREST TO BRING SECOND

STREET OVER SHOAL CREEK AND THROUGH THE SUBSTATION AREAS THAT IT WOULD DROP INTO WEST AVENUE. AND WE'RE PREPARING COST ESTIMATES FOR THAT, BUT AT THIS POINT THESE ARE NOT FUNDED AND YOU CAN SEE BELOW ON THAT SLIDE WE HAVE SOME VERY PRELIMINARY ESTIMATES ON THE SECOND STREET BRIDGE, RANGING FROM 6.5 TO NINE MILLION. THE SECOND STREET EXTENSION FROM SHOAL CREEK TO ENZYME SEAHOLM AT TWO MILLION. AS WE MOVE THROUGH THE SUMMER WE'LL BRING YOU FIRMER ESTIMATES OF THESE PROJECTS AND OF COURSE AS WE MOVE THROUGH THE FINANCIAL ANALYSIS FOR SEAHOLM, WE'LL HAVE A BETTER IDEA OF HOW THAT PROJECT COULD ABSORB SOME OF THESE EXPENSES. WHAT I'D LIKE TO DO NOW IS HAVE MR. HEATH TALK TO YOU ABOUT THE DECOMMISSIONING PROJECT, GIVE YOU AN UPDATE ON THE TIME LINE SO THAT THIS IS REALLY THE FIRST SHOE TO FALL IN THIS REDEVELOPMENT PROGRAM. AS I SAID EARLIER, I THINK HE CAN CLARIFY THIS, I THINK THIS IS THE FIRST FULL BLOWN DECOMMISSIONING PROJECT THAT WE'VE HAD IN AUSTIN. SO IT'S A COMPLICATED PROJECT AND GETTING THIS SITE PREPARED FOR DEVELOPMENT PURPOSES IS GOING TO TAKE SOME TIME AND IT WILL HAVE A LOT OF COMPLEXITY TO IT. SO I'M GOING TO TURN IT OVER TO HIM.

COUNCIL, AS IT PERTAINS TO THE GREEN DECOMMISSIONING AND DEMOLITION PROJECT, WHAT I'D LIKE TO DO IS COVER THREE THINGS WITH YOU THIS MORNING. THERE HAS BEEN A 15-MONTH CHANGE IN THE PROJECT SCHEDULE, SO I'D LIKE TO WALK YOU THROUGH THE SCHEDULE CHANGES AND THE REASONS WHY. SECOND, I'D LIKE TO BRIEFLY COVER THE PROJECT STATUS, WHAT THE CURRENT STATUS IS OF THE PROJECT. AND FINALLY WALK YOU THROUGH SOME OF THE UPCOMING MAJOR PROJECT MILESTONES. SO AS FAR AS THE PROJECT SCHEDULE IS CONCERNED, BACK IN OCTOBER OF 2006 THERE WAS A MULTICITY DEPARTMENT BRIEFING TO COUNCIL ON SEAHOLM AND GREEN WATER TREATMENT PLANT SITE REDEVELOPMENT. IN THAT BRIEFING, AUSTIN WATER UTILITY STAFF PRESENTED A CONCEPTUAL, TENTATIVE PROJECT SCHEDULE WHICH INDICATED THAT THE PROJECT DECOMMISSIONING AND DEMOLITION WOULD

BE COMPLETED BY NOVEMBER OF 2008. THIS WAS BASED ON THE ASSUMPTION THAT THE WORK WOULD BEGIN BY NOVEMBER OF 2006, SO THE WORK WOULD START IN 2006 AND WOULD BE COMPLETED BY NOVEMBER OF 2008. SINCE THAT TIME UTILITY STAFF AND PUBLIC WORK STAFF HAS WORKED VERY DILIGENTLY IN REFINING AND DEFINING THE PROJECT SCHEDULE. WE HAVE IDENTIFIED OVER 300 CRITICAL PROJECT TASKS THAT MUST BE COMPLETED BEFORE THIS PROJECT CAN BE COMPLETED AND THE SITE MADE AVAILABLE FOR REDEVELOPMENT. THE 15-MONTH PROJECT SCHEDULE CHANGE OR CHANGE IN PROJECT SCHEDULE IS PRIMARILY DUE TO THE COMPLEXITY OF THE PROJECT, THE ENVIRONMENTAL REMEDIATION THAT WOULD BE REQUIRED AND IS NECESSARY. SHOAL CREEK BANK STABILIZATION THAT WOULD HAVE TO BE DONE AS PART OF THIS PROJECT. IN ADDITION TO THE EXISTING ROADWAYS, CESAR CHAVEZ AND SAN ANTONIO STREETS WOULD HAVE THE STABILITY OF THOSE ROADWAYS WOULD HAVE TO BE MAINTAINED AS THE PROJECT MOVES FORWARD. LET ME EXPLAIN JUST BRIEFLY WHAT THOSE COMPLEXITIES ARE. THE GREEN WATER TREATMENT PLANT WAS BUILT IN 1925. IT WAS BUILT ON A SIX ACRE SITE. AND OVER THE YEARS SINCE THAT TIME THE PLANT HAS BEEN MODERNIZED, EXPANDED, UPGRADED A NUMBER OF TIMES. DURING THIS TIME FRAME THE LAND SIZE HAS BEEN LIMITED TO SIX ACRES. OVER TIME THREE THINGS HAVE HAPPENED. THE FACILITIES THAT COULD BE BUILT ABOVE GROUND TO THE EXTENT THEY COULD BE BUILT, HAVE BEEN BUILT. AND BECAUSE OF THE NATURE OF THE LAND LOCKED SITE, THESE FACILITIES ARE VERY COMPACT IN NATURE. THEY'RE LITERALLY SITTING ON TOP OF EACH OTHER. THE SECOND THING THAT HAS HAPPENED, BECAUSE OF THE LIMITATION OF THE ACREAGE FOR THIS PLANT SITE, IS A LOT OF THE FACILITIES, A NUMBER OF MAJOR TREATMENT PLANT FACILITIES, HAVE TO BE BUILT UNDERGROUND. WE HAVE MAJOR INFRASTRUCTURE UNDER THIS PLANT SITE. THIRD THING THAT HAS HAPPENED OVER THE YEARS IS BECAUSE OF LAND LIMITATION. WE HAD TO PUSH OUT THE INFRASTRUCTURE FACILITIES TO THE EDGE OF THE PROPERTY LINES IN ALL DIRECTIONS. SO LET ME GIVE YOU A FEW EXAMPLES OF WHAT THESE COMPLEXITIES RELATE TO IN DECOMMISSIONING AND DEMOLITION. IF YOU LOOK ON

THE WESTERN SIDE OF THIS PLANT SITE FACING TOWARDS SHOAL CREEK-- I APOLOGIZE I DON'T HAVE AN AERIAL PICTURE WITH WITH ME. ON THE WESTERN SIDE FACING SHOAL CREEK WE HAVE A NUMBER OF FACILITIES THAT ARE ON THE BANKS OF SHOAL CREEK. TO SPECIFICALLY IDENTIFY ONE FOR YOU AS AN EXAMPLE, THE BACKWASH PUMP STATION LITERALLY SITS ON THE BANK OF SHOAL CREEK. WE KNOW WHEN WE DECOMMISSION AND EXCAVATE AND REMOVE THIS INFRASTRUCTURE WE WILL DESTABILIZE THE BANK. SO IN OUR PROGRAM WE HAVE TO BUILD IN BOTH TIME AND TECHNICAL SOLUTIONS TO STABILIZE THE BANKS OF SHOAL CREEK WHEN WE GET DONE. MOVING SOUTH, FACING CESAR CHAVEZ STREET, WE HAVE LARGE INFRASTRUCTURES UNDERGROUND. TO GIVE YOU A GOOD EXAMPLE, THERE IS A CONCRETE STRUCTURE THAT IS 300 FEET LONG, 100 FEET WIDE AND 25 FEET DEEP. THE WALLS OF THIS CONCRETE STRUCTURE IS TWO FEET THICK. SO THE LOAD-BEARING WALLS AND THE SUPPORT STRUCTURE FOR THE FOUNDATION IS RIGHT UNDER THE SIDEWALK ON CESAR CHAVEZ. IT LITERALLY TOUCHES THE FIRST LANE ON CESAR CHAVEZ UNDER THE ROADWAY. SO WHEN WE EXCAVATE 25 FEET DOWN TO REMOVE THIS STRUCTURE, WE HAVE TO ENSURE THE INTEGRITY OF THE EXISTING ROADWAY. SIMILARLY, MOVING ON THE EAST SIDE, ON SAN ANTONIO, WE HAVE LARGE CLARIFIER WELLS THAT ARE 15 TO 18 FEET DEEP UNDER THE SURFACE. SAME THING HERE. THESE STRUCTURES ARE HEAVY DUTY STRUCTURES. THE SUPPORT STRUCTURES SUPPORTING THIS CLARIFIER IS UNDER THE SIDEWALK ON SAN ANTONIO. WE HAVE TO BE EXTRA CAREFUL IN REMOVING AND DEMOLISHING THIS STRUCTURE WHEREBY WE DO NOT IMPACT THE INTEGRITY OF SAN ANTONIO STREET. THIS FACILITY HAS BEEN OPERATING SINCE 1925. IT HAS BEEN AN INDUSTRIAL FACILITY AS SUCH. WE KNOW WE HAVE TO DEAL WITH ASBESTOS ABATEMENT. WE KNOW WE HAVE TO DEAL WITH LEAD ABATEMENT, CHEMICAL DISPOSAL, HIGH HYDRAULIC FLUIDS, FUEL, AND OTHER CHEMICALS THAT HAVE NATURE. IN ADDITION TO THAT, WE HAVE LARGE WATER TRANSMISSION MAINS THAT COME OUT OF GREEN WATER TREATMENT PLANT AND CONNECT TO THE GRID THAT SUPPLIES WATER TO DOWNTOWN AND THE EASTERN PART OF OUR SERVICE AREA. THESE LARGE WATER

TRANSMISSION LANES MUST BE ISOLATED FROM THIS SYSTEM. AND REDESIGNED WHEREBY WE HAVE CONNECTIVITY. WE REINSTALLED CONNECTIVITY FOR REDUNDANCY AS WELL AS A SECOND SOURCE OF FEED TO DOWNTOWN AND THE EASTERN EDGE OF OUR SERVICE AREA. THESE ARE JUST A FEW EXAMPLES OF THE COMPLEXITIES WE FACE. WE HAVE 300 PLUS CRITICAL TASKS THAT WE HAVE IDENTIFIED. EACH ONE OF THOSE REQUIRES SPECIAL ATTENTION, TIME AND DETAIL IN TERM OF COMING UP WITH MY SOLUTIONS. WE HAVE SCRUBBED, RESCRUBBED THE PROJECT SCHEDULE WITH OUR OWN TECHNICAL STAFF, WITH THE HELP OF FOLKS AND EXPERTS AT PUBLIC WORKS DEPARTMENT, BE AND NOT WITH THE HELP OF CONSULTING ENGINEERS. GIVEN ALL THE SCRUTINY WE HAVE GONE THROUGH, IT STILL INDICATES THAT TO SUCCESSFULLY COMPLETE ALL 300 CRITICAL TASKS THAT WE HAVE IDENTIFIED THAT MUST BE ACCOMPLISHED, THAT MUST BE COMPLETED BEFORE THE SITE CAN BE MADE AVAILABLE FOR REDEVELOPMENT, THE SCHEDULE INDICATES THAT WE WILL BE COMPLETING THE DEMOLITION AND DECOMMISSIONING OF GREEN WATER TREATMENT PLANT BY FEBRUARY OF 2010. THAT IS A 15-MONTH CHANGE FROM THE CONCEPTUAL PLAN THAT WE DISCUSSED WITH YOU BACK IN OCTOBER OF 2006.

Mayor Wynn: I'M SORRY, LET ME INTERRUPT. I KNOW OTHER COUNCILMEMBERS WILL HAVE QUESTIONS TOO. SO I UNDERSTAND AND I INTUITIVELY RECKON THAT THERE WOULD BE AN INCREDIBLE AMOUNT OF LOGISTICAL AND PHYSICAL CHALLENGES WITH THAT SITE. SO IF IT'S A 15 MONTH ESTIMATED EXTENSION OR DELAY IN COMPLETING THE DECOMMISSIONING AND DEMOLITION, THAT BEING NOW TO FEBRUARY OF 2010, ORIGINALLY WE WERE THINKING NOVEMBER OF '08 IF WE STARTED BY NOVEMBER OF '06. SO WE'RE LOOKING AT A TWO-YEAR PROCESS OF PEOPLE SEEING STUFF HAPPENING OVER THERE. DO WE MAKE THE ASSUMPTION THEN THAT YOU'RE SUGGESTING THAT APPROXIMATELY FEBRUARY OF '08 IS WHEN WE START TO SEE ACTIVITY OVER THERE OR ARE YOU SUGGESTING THAT IT'S FRANKLY GOING TO BE MUCH LONGER THAN TWO YEARS ONCE YOU ACTUALLY START DRILLING, BULLDOZING, PROBEPROBING. IS THE DELAY BECAUSE YOU THINK IT WILL

BE 15 MONTHS BECAUSE YOU HAVE TO DO ALL THIS INVESTIGATORY TYPE, PRELIMINARY PLANNING OR IS IT LIKELY 15 MORE MONTHS' WORTH OF REAL CAREFUL, PHYSICAL ACTIVITY OVER THERE, DIGGING AND TRENCHING, AND STABILIZING, THAT KIND OF THING?

WE WILL ACTUALLY SEE PEOPLE WORKING AT THE GREEN WATER TREATMENT PLANT THIS SUMMER OR SOON THEREAFTER. PART OF THE PRELIMINARY ENGINEERING GEO TECH WORK WILL HAVE TO GET STARTED, SO YOU WILL SEE CREWS DOING DRILLING WORK, DOING SITE EVALUATIONS FOR ENVIRONMENTAL AS WELL AS STRUCTURAL. SO YOU WILL SEE IN LATE SUMMER THOSE ACTIVITIES ALREADY STARTED. WE'RE HOPING THAT THE ACTUAL HEAVY EQUIPMENT WILL BE MOVED ON TO THE PROPERTY BY JANUARY OF 2009.

Mayor Wynn: OKAY. AND REMIND ME, WHEN DOES THE -- IT MIGHT NOT BE AS SIMPLE AS THIS. WHEN DOES THE VALVE GET TURNED OFF? WHEN DOES THE PLANT ACTUALLY STOP DELIVERING WATER?

MAYOR, WE WILL LITERALLY TURN OFF THE SWITCH AFTER THIS SUMMER. SO WE'RE LOOKING AT ABOUT OCTOBER, LATE OCTOBER TIME FRAME. WE'VE TO MAKE SURE THAT YOU ULRICH WAS ON LINE. GREEN IS GOING TO BE OUR BACKUP FOR THIS SUMMER. SO ONCE SUMMER IS OVER, WE'RE READY TO TURN OFF THE PLANT.

Mayor Wynn: OKAY. THANK YOU. COUNCILMEMBER LEFFINGWELL.

Leffingwell: SO WILL AN E.P.A. REUSE PERMIT BE REQUIRED?

THERE WILL BE PERMITTING REQUIRED FROM LOCAL, STATE AS WELL AS FEDERAL AGENCIES.

Leffingwell: FROM THE E.P.A.?

YES, SIR.

Leffingwell: THAT'S OFTEN A VERY TIME-CONSUMING PROCESS. IS THAT INCLUDED IN YOUR PROJECTED FEBRUARY 2010 DATE?

YES, SIR. WE BUILT IN THE PERMITTING PROCESS FOR BOTH LOCAL, STATE AS WELL AS FEDERAL. TO QUICKLY GIVE YOU A CURRENT STATUS OF THE PROJECT, WE HAVE AN ENGINEERING FIRM ON BOARD. WE HAVE URS CORPORATION THAT IS HELPING US WITH THE PRELIMINARY ENGINEERING. THE NOTICE TO PROCEED HAS BEEN GIVEN BY PUBLIC WORKS. THAT WAS GIVEN TO THEM EARLY PART OF APRIL OF THIS YEAR. PRELIMINARY ENGINEERING IS UNDERWAY. PRELIMINARY ENGINEERING BASICALLY IS GOING TO GIVE US THE ROAD MAP OR BLUEPRINT TO COMPLETE THE DECOMMISSIONING AS WELL AS DEMOLITION OF THIS PROJECT. IT WILL GO INTO THE DETAILS FOR ENVIRONMENTAL ASSESSMENT. IT WILL GO INTO THE DETAILS OF STRUCTURAL ASSESSMENT. IT WILL GO INTO THE DETAILS OF EXISTING ROADWAY ASSESSMENTS TO WHAT EXTENT WE CAN IMPROVE OR NOT IMPACT THE INTEGRITY OF THOSE ROADWAYS. IT WILL ALSO GO INTO DETAILS ABOUT WHAT WE NEED TO DO ABOUT STABILIZING THE BANKS FOR SHOAL CREEK. SOME OF THE UPCOMING MAJOR PROJECT MILESTONES, WE ANTICIPATE THAT PRELIMINARY ENGINEERING WILL BE COMPLETED BY NOVEMBER OF 2007, WHICH IS THIS FALL. SOON THEREAFTER DESIGN AND PERMITTING WILL BE COMPLETED BY SENT OF 2008. DECONSTRUCTION BID AND AWARD WILL BE COMPLETED BY FEBRUARY OF 2009. AND FINALLY, THE DECOMMISSIONING AND DEMOLITION WILL BE COMPLETED BY THE EARLY PART OF FEBRUARY OF 2010. THESE ARE OUR BEST ESTIMATES IN TERMS OF PROJECT SCHEDULE. WE DO NOT KNOW WHAT UNFORESEEN CIRCUMSTANCES WE WILL FACE WHEN EXCAVATION ACTUALLY STARTS. WE ARE HOPING AND KEEPING OUR FINGERS CROSSED THAT WE DO NOT COME ACROSS ANY ARCHAEOLOGICAL FINES OR DELAYS OF THOSE TYPES THAT WE HAVE NO CONTROL OVER. IN TERMS OF ESTIMATED PROJECT COST, THIS IS A VERY PRELIMINARY PROJECT COST ESTIMATE AT THIS POINT. DECOMMISSIONING AND DEMOLITION IS ESTIMATED TO COST AROUND \$16 MILLION. UTILITY RELOCATIONS OF EXISTING INFRASTRUCTURE IS ESTIMATED TO COST ABOUT

THREE AND A HALF MILLION DOLLARS. THE ESTIMATE THAT AFTER THE PRELIMINARY ENGINEERING IS COMPLETED WILL HAVE BETTER AND REFINED NUMBERS AND OF COURSE AFTER THE BID IS DONE WE'LL HAVE REALLY GOOD NUMBERS. UNLESS COUNCIL HAS ANY OTHER QUESTIONS FOR ME, I WOULD LIKE TO AT THIS POINT TURN IT BACK TO ASSISTANT CITY MANAGER LAURA HUFFMAN.

Mayor Wynn: THANK YOU. QUESTIONS, COUNCIL? THANK YOU, SIR. WELCOME BACK, MS. HUFFMAN.

SO WE'RE GOING TO SWITCH GEARS BACK TO THE REDEVELOPMENT PART OF THE PROJECT. AND WHAT YOU ARE LOOKING AT IS A LITTLE BIT AFTER COMPLICATED SLIDE, BUT I WANT TO WALK YOU THROUGH IT. THIS IS A PRELIMINARY MASSING STUDY OF THE SITE. REALLY WHAT WE WANT TO START TO INTRODUCE AND START TO SHOW YOU IS WHAT KIND OF DEVELOPMENT POTENTIAL IS ASSOCIATED WITH THIS SITE. SO YOU CAN SEE FIRST OF ALL THAT WE'VE REIMPOSED THE GRID STRUCTURE. AND IF YOU LOOK AT THE TOP BLOCK, WHICH IS LABELED BLOCK 188, AT A EIGHT TO ONE FLOOR TO AREA RATIO YOU COULD ACHIEVE A DEVELOPMENT POTENTIAL OF 150,000 SQUARE FEET. NOW, WE DIDN'T DO A 12 TO ONE OR A 20 TO ONE FLOOR TO AREA RATIO IN HERE BECAUSE THAT PIECE OF LAND IS SUBJECT TO THE WATERFRONT OVERLAY ORDINANCE AND IN THE NEXT SLIDE I WILL SHOW YOU HOW THAT ORDINANCE IMPACTS THE SQUARE FOOTAGE THAT YOU COULD ACHIEVE ON THE BLOCK. AND THEN ON THE LAST SLIDE WE'RE GOING TO TEE UP WHETHER OR NOT YOU'RE INTERESTED IN WAIVING PARTS OF THAT ORDINANCE. BUT AS THE LAND SITS TODAY THIS WOULD BE THE DEVELOPMENT POTENTIAL. IF YOU DROP SOUTH A BLOCK YOU SEE AGAIN BLOCK 85, BE THAT IS ALSO SUBJECT TO THE WATERFRONT OVERLAY. ITS POTENTIAL IS 300,000 SQUARE FEET. IF YOU GO EAST YOU GET TO BLOCK 1 AND THERE AGAIN THAT BLOCK IS SUBJECT TO THE WATERFRONT OVERLAY ORDINANCE SETBACKS. WHAT YOU WILL SEE THERE IS WE RAN -- BUT YOU CAN ACHIEVE HIGHER F.A.R. ON THAT SIDE BECAUSE IT DOESN'T HAVE THE WATERFRONT OVERLAY. SO WE SHOWED YOU AN EIGHT TO ONE FLOOR TO AREA RATIO AND ALSO A 12 TO ONE RATIO THAT SHOWS YOU AT 928,000 SQUARE FEET. AND

THE NORTH BLOCK 23, WE RAN ALL OF THE FLOOR TO AREA RATIOS ARE JUST THREE SAMPLES, EIGHT TO ONE WOULD ALLOW YOU TO RECEIVE FEARLY 20,000 SQUARE FEET. YOU COULD GET 430,000 SQUARE FEET. AND AT A 20 TO ONE RATIO YOU CAN GET TO 717,000 SQUARE FEET. SO THIS GIVES YOU AN IDEA. THE BUILDING WITH AT FIFTH AND CONGRESS, FOR EXAMPLE, WAS GIVEN A 30 TO ONE FR F.A.R., SO YOU HAVE GONE TONIGHT TW20 TO ONE. THESE ARE PRELIMINARY, BUT WE WANTED TO SHOW YOU HOW THE BLOCK WAS SHAPING UP. AND ALSO JUST TO LET YOU KNOW THAT THOSE NUMBERS REALLY DO START TO MATTER AS WE GO INTO A FINANCIAL ANALYSIS BECAUSE OBVIOUSLY THE MORE DENSITY THAT YOU CAN ACHIEVE ON A BLOCK, THE MORE YOU CAN ACCOMPLISH FINANCIALLY. SO IF WE TRY TO MAX OUT DENSITY, THAT WILL ENABLE US TO ACCOMPLISH MORE PUBLIC POLICY GOES, FOR EXAMPLE, AFFORDABLE HOUSING, BUT THERE MIGHT BE SOME OTHER REASONS WHY WE KEEP DENSITY DOWN. SO THAT'S ONE OF THE REASONS WHY WE'RE HERE TODAY. THIS SLIDE SIMPLY SHOWS YOU HOW THE WATERFRONT OVERLAY WORK AND IT IS A SERIES OF STEP BACK IN THAT OVERLAY THAT CAUSES THE SQUARE FOOTAGE NUMBERS TO COME DOWN. MOVING FORWARD, BE ONE OF THE THINGS WE WANT TO GET STARTED TODAY, BUT WE ARE NOT LOOKING FOR FINAL DECISIONS AND I'LL TALK TO YOU ABOUT THE TIME LINE FOR THE R.F.P. ONE OF THE THINGS THAT YOU EXPRESSED AN INTEREST IN THE LAST TIME, AND MAYOR I THINK YOU HAD A REALLY STRONG IN IN, IS YOU WANTED TO TIME THE NEGOTIATION AGREEMENT TO THE FINISHING OF THE DECOMMISSIONING PROJECT. YOU WANTED TO BE READY TO BREAK GROUND TO THE REDEVELOPMENT. SO WE ARE GOING TO PARALLEL THE DECOMMISSIONING PROCESS. WRAILT NOW WE'RE -- RIGHT NOW WE'RE PLANNING ON ISSUING AN R.F.P. EITHER IN LATE FALL OR SOMETIME IN THE WINTER. AND WHAT THAT WOULD GIVE US A CHANCE TO DO IS TO HAVE OUR TEAMS SELECTED AND TO BEGIN NEGOTIATIONS AND HAVE A FINAL AGREEMENT IN PLACE FOR THE REDEVELOPMENT PROJECT BY THE TIME THE DECOMMISSIONING IS COMPLETE. WE ALSO THINK THERE'S SOME NICE INTERPLAY THAT WE CAN GET, AND THIS IS A POINT THAT SANDRA CREIGHTON RAISED YESTERDAY. ONCE WE HAVE OUR DEVELOPMENT TEAM ON BOARD, THE

INTERACTION BETWEEN THE DEVELOPMENT TEAM AND THE DECOMMISSIONING TEAM IS GOING TO BE VERY IMPORTANT BECAUSE SOME DECISIONS ARE GOING TO HAVE TO BE MADE ALONG THE WAY ABOUT WHAT CONDITION THEY LEAVE THE SITE IN. SO WE WITH THINK THERE'S SOME. GOOD REASONS TO HAVE THOSE TEAMS INTERACTING WITH ONE ANOTHER. WHAT WE WANT TO DO NOW IS JUST RAISE TO YOU THE ISSUES THAT WE'VE HEARD YOU DISCUSS, THE POLICY ISSUES THAT YOU'VE RAISED, AND JUST START THE CONVERSATION ABOUT HOW YOU SEE THESE DIFFERENT ISSUES AND HOW YOU WOULD LIKE FOR US TO INCORPORATE THEM IN A REQUEST FOR PROPOSALS. AGAIN, WE'RE NOT LOOKING FOR FINAL DECISIONS. WE WILL COME TO YOU BEFORE WE ISSUE THE R.F.P. AND TIE ALL OF THESE THINGS DOWN SO THAT THE R.F.P. ACCURATELY REFLECT YOUR GOALS. WE WILL ALSO GIVE YOU A CHANCE TO READ THROUGH THE R.F.P. BEFORE WE ISSUE IT. BUT OBVIOUSLY THE LIBRARY IS A MAJOR ISSUE, AND IN OCTOBER WE DIDN'T KNOW EXACTLY WHETHER OR NOT WE WERE GOING TO HAVE A LIBRARY TO BUILD, BUT WE DO NOW. SO THERE ARE SOME DECISIONS TO BE MADE. WHERE ON THIS SITE THE LIBRARY WOULD BE LOCATED IS PROBABLY THE MOST DECISION -- IMPORTANT DECISION. ANOTHER DECISION IS WHETHER OR NOT THE LIBRARY IS A STAND ALONE BUILDING OR WHETHER OR NOT IT'S A MIXED USE BUILDING. IF IT'S A STAND ALONE BUILDING, WHETHER OR NOT IT IS BUILT AND HANDLED AS A SEPARATE PROJECT AND THEREFORE A SEPARATE R.F.P. IF IT'S PART OF A VERTICAL MIXED USE BUILDING, IT WOULD MAKE MORE SENSE FROM OUR PERSPECTIVE TO INCLUDE IT HE IT IN THE R.F.P. FOR THE ENTIRE REDEVELOPMENT PROJECT. BUT WE WANT TO GET FEEDBACK ON THOSE THINGS. AFFORDABLE HOUSING LEVELS AND TARGETS, VERY IMPORTANT DECISION FOR US TO ARTICULATE OUR GOALS IN THE R.F.P. SO THAT THE PROPOSERS CLEARLY UNDERSTAND WHAT IT IS THE CITY IS TRYING TO ACCOMPLISH. THE ISSUE OF A CHILDREN'S PLAY AREA HAS BEEN RAISED. COUNCILMEMBER KIM, I THINK YOU RAISED THIS ISSUE. AND HOW WE CAN INCORPORATE SOME FAMILY PLAY AREAS INTO REDEVELOPMENTS DOWNTOWN. PROHIBITED USES. ALWAYS WHEN WE ARE PARTNERS IN A REDEVELOPMENT PROJECT DOWNTOWN, BE WE TALK ABOUT WHAT KINDS OF

PROHIBIT BED USES WHICH ALLOWS YOU TO EXPRESS THE KINDS OF USES THAT YOU REALLY WANT IN THE REDEVELOPMENT PROJECT. SO TO THE EXTENT THAT WE CAN TIE THAT DOWN IN AN R.F.P., WE SET OUT CLEAR EXPECTATIONS FOR WHAT CAN HAPPEN THERE. OBVIOUSLY COMPLIANCE WITH THE WATERSHED ORDINANCE IS GOING TO GIVE A SENSE OF WHETHER YOU TAKE THE DENSITIES I'VE SHOWN YOU OR YOU INCREASE THOSE DENSITIES WITHOUT THE WATERSHED OVERLAY ORDINANCE OR PARTS OF IT. AND THEN ANYTHING ELSE -- ONE OF THE THINGS WE WANT TO DO TODAY IS MAKE SURE THAT WE HAVEN'T MISSED AN ISSUE THAT'S IMPORTANT TO YOU. AND THEN JUST GET YOUR FEEDBACK. SO MAYOR WITH THAT I'VE GOT A SUMMARY THAT WILL OUTLINE NEXT STEPS THAT I WOULD LIKE TO PAUSE AND SEE IF THERE'S ANY FEEDBACK OR QUESTIONS, INFORMATION THAT YOU WILL WANT US TO BRING BACK TO YOU. YOU CAN COUNT ON US COMING BACK WITH THE FEASIBILITY STUDY, BUT ANYTHING ELSE WE CAN BRING TO YOU AS WE START PREPARING THE R.F.P. DOCUMENT.

Mayor Wynn: THANK YOU, MS. HUFFMAN. QUESTIONS, COMMENTS? COUNCILMEMBER MCCRACKEN.

McCracken: IT APPEARS FROM LOOKING AT THE MAP THAT THERE ARE NO VIEW CORRIDOR RESTRICTIONS ON THIS SITE. IS THAT RIGHT?

THAT'S RIGHT.

McCracken: AND I GUESS NO ALLEYS EITHER?

THAT'S RIGHT.

McCracken: WHAT'S THE POTENTIAL FOR THE SUBSTATION AND ELECTRIC CONTROL CENTER BLOCKS ON THE OTHER SIDE OF SHOAL CREEK IN THE R.F.P.?

WE WERE TALKING ABOUT THAT YESTERDAY AND LET ME SEE IF JUAN GARZA IS HERE OR SOMEONE FROM THE ELECTRIC UTILITY WHO CAN TALK ABOUT THIS SCHEDULE. I THINK THE TIMING OF THAT PROJECT IS NOT FULL -- DOES NOT FULLY SINK UP WITH THE TIMING OF THIS PROJECT. BUT

I SEE SOMEONE FROM THE UTILITY THAT CAN HELP US OUT. WE MAY NEED TO GET BACK TO YOU ON THAT. IF YOU WANT US TO LOOK AT THAT, WE NEED TO LOOK AT WHAT THEIR PROJECT SCHEDULE IS, AND WE WILL DO THAT.

McCracken: IT STRIKES ME FROM A PHASING PERSPECTIVE IT MAY NOT BE THAT BIG OF A DEAL PARTICULARLY SINCE NO ONE CAN BEGIN TURNING DIRT ON THE GREEN PORTION OF THIS AREA UNTIL SOMETIME IN 2010. SO WE'RE LOOKING THREE YEARS AWAY BEFORE ANY WORK IS DONE. IT SEEMS AT LEAST IN CONCEPT THAT AN R.F.P. COULD INCLUDE PARTICULARLY ELECTRIC CONTROL CENTER SITES BECAUSE IT'S MY UNDERSTANDING THAT THAT SITE IS ALSO AN ENTIRE DOWNTOWN BLOCK WITH NO VIEW CORRIDOR RESTRICTIONS AND NO ALLEYS, IS THAT RIGHT?

THAT'S RIGHT. DO YOU WANT US TO LOOK AT ALL THESE PIECES, THEN?

McCracken: YES. WELL, I MEAN, WE ALREADY HAVE SEAHOLM SPOKEN FOR, BUT WE HAVE THOSE TWO BLOCK THAT ARE NOT SPOKEN FOR, BUT WE'VE GIVEN COUNCIL DIRECTION. I THINK JUAN GARZA IS HERE NOW, LAURA. IS THERE ANYTHING, JUAN, THAT YOU WANT TO ADD ABOUT TIMING?

COUNCILMEMBER, MEMBERS OF THE COUNCIL, WE HAVE BEEN LOOKING AT THIS NOW FOR SOMETIME. WE DO HAVE SOME TIME LINES, BUT WE ALSO UNDERSTAND THE IMPORTANCE OF FITTING THIS IN. SO THE YESTERDAY I SENT OUR SCHEDULE, BUT IT'S NOT FIXED. IT'S SOMETHING THAT WE CAN WORK WITH OTHER STAFF OBVIOUSLY TO MOVE AHEAD WITH PRIORITY OF THE COUNCIL. WE'RE LOOKING AT PROBABLY A TIME LINE FOR ALL THE WORK THAT WE NEED TO DO THERE IN THE AREA OF 2010.

McCracken: THAT SEEM PRETTY MUCH ROUGHLY IN SYNC WITH THE GREEN SITE. IF EVERYTHING IS CONCLUDING IN 2010, IT SEEMS LIKE --

JUST TO RUN THROUGH THE THING WE NEED TO DO. WE NEED TO MOVE THE LINES, WE NEED TO SHRINK THE FOOTPRINT OF THE SUBSTATION. WE NEED TO MOVE THE CONTROL ROOM. AND WE HAVE RECENTLY MOVED AHEAD

WITH THE OTHER BUILDING. SO ALL THOSE THINGS NEED TO COME TOGETHER TO GET OURSELVES OUT OF THERE AND COORDINATE WITH GREEN. MILK McI GUESS AT LEAST FOR MY PURPOSE, I'D AT LEAST LIKE TO SEE US GET MORE INFORMATION ABOUT THE OPPORTUNITIES. BECAUSE OFF THE BAT ALREADY JUST LOOKING AT THIS, THIS IS SET TO BE THE LARGEST PRIVATE DEVELOPMENT IN THE HISTORY OF DOWNTOWN AUSTIN. IT'S REALLY AN UNPRECEDENTED OPPORTUNITY. AND YOU ADD IN TWO MORE BLOCKS INTO THIS, WE COULD EVEN GET MORE OPPORTUNITY TO GET A COHESIVE DEVELOPMENT THAT FOCUSES ON SHOAL CREEK AND THIS FORMERLY INDUSTRIALIZED AREA DOWNTOWN.

WE CAN ABSOLUTELY DO THAT. AND GIVEN THE TIME DELAY AND THE DEMISSION COMMISSIONING, WE'VE GOT TIME TO DO THAT AND TO PULL IT INTO AN R.F.P.

McCracken: I WOULD LIKE SOME ANALYSIS, AND MAYBE YOU HAVE IT TODAY, BUT ONE THING WE'VE HEARD FROM AFFORDABLE HOUSING GROUPS IS THAT IF LIKE A CHOADCHAO TOWCHOD TOW AND OTHER FINANCING VEHICLES THAT WOULD NOT NORMALLY BE AVAILABLE IN A DWOANLT WITHOUT A SET SAY SIDE. THERE WOULD BE TIEBL LEVER RABLGHT FINANCIAL, FEDERAL DOLLARS. I DON'T KNOW THE ANSWER TO THAT. I THINK IT WOULD BE HELPFUL TO GET SOME ANALYSIS ON STRATEGIES THAT WE COULD INCLUDE IN THE R.F.P. THAT THERE WOULD BE SOME PREFERENCE GIVEN FOR A TEAM THAT INCLUDED A HOUSING NONPROFIT. IF IT DOES TURN OUT THAT THAT WOULD OPEN UP THE OPPORTUNITY FOR THINGS LIKE FEDERAL AFFORDABLE HOUSING TAX CREDITS AND OTHER FINANCING VEHICLES, DO WE KNOW ANYTHING ABOUT WITH THAT RIGHT NOW?

COUNCILMEMBER, PAUL HILGERS, NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT. THE GREAT THING ABOUT BEING INVOLVED IN THIS PARTICULAR PROJECT THIS EARLY IS THAT ALL OF THOSE OPTIONS COULD BE AVAILABLE TO US. THE FACT THAT A COMMUNITY HOUSING DEVELOPMENT CORPORATION COULD BE INVOLVED DOESN'T GIVE US ANY MORE PREFERENCE AS FAR AS A TAX CREDIT PROPERTY THROUGH THE STATE IS. IT DOESN'T HAVE TO BE THAT WAY. BUT IS CAINLT PURT. DID

YOU-- IT WOULDN'T HURT. BUT THE ISSUES WITH THE HOUSING FINANCE CORPORATION COULD GIVE US THE ABILITY TO LEVERAGE FOR FUTURE AFFORDABILITY. AND THOSE ARE THE THINGS THAT I THINK WILL IMPACT OUR ABILITY TO HIT LOWER TARGET LEVELS IS HOW MUCH FINANCIAL LEVERAGE CAN WE GET. I THINK AS LAURA SAID, ONE OF THE ISSUES THAT MAY DRIVE THIS MORE THAN EVEN FEDERAL DOLLARS IS WHAT LEVEL OF DENSITY WE CAN GET AND HOW MUCH HIGHER ABOVE THE DENSITY -- HOW MANY MORE UNITS WE CAN GET WITH MORE DENSITY. THOSE KIND OF FACTORS ARE THING WE'LL BE LOOKING AT AS WE COME FORWARD WITH WHAT WE THINK IS POSSIBLE. AND A TAX CREDIT SITE ON THIS MAY BE FEASIBLE, BUT I THINK THAT'S STILL UNDETERMINED AT THIS POINT.

McCracken: YEAH. I AGREE WITH YOU, PAUL. THE FACT THAT WE HAVE THIS LEAD TIME OPPORTUNITY TO PLAN FOR IT REALLY GIVES US SOME UNPRECEDENTED OPPORTUNITIES. SO I THINK MAYBE TO THE EXTENT THAT WE'RE ABLE TO LAY A ROAD MAP OUT IN THE R.F.P. THAT SAYS, OKAY, HERE ARE SOME POTENTIAL WAYS THAT YOU CAN DO IT AND THIS WILL BE ONE OF THE SCORING CRITERIA, PARTICULARLY AS IT COMES TO THE THREE UNRANKED FINALISTS COME BEFORE COUNCIL. AND THEN I WOULD LIKE IN CONCEPT IF WELCOMED BUILD SOMETHING LIKE THIS INTO THE R.F.P., WHICH WOULD BE PRIVATE DEVELOPER, WHAT WOULD YOU PAY THE CITY IF WE EMPLOYED THE SAME PARKING STRATEGY THAT WE HAVE AT CITY HALL AND AT SEAHOLM? SO WE COULD GET A DOLLAR COMPARISON. WLUWHAT WILL YOU PAY US IF WE DO IT THE OLD WAY OF DOING IT ON PARKING AND WHAT WILL YOU PAY US IF WE EMPLOY THE SAME PARKING STRATEGY THAT WE HAVE AT CITY HALL AND SEAHOLM? AND WHO KNOWS, WE'LL FIND OUT. BUT AT LEAST WE WOULD BE ABLE TO GET SOME OPTIONS, YOU KNOW.

YOU BET. WHAT WE CAN DO IS REQUIRE THEN TO RESPOND BOTH WAYS. AND THEN YOU CAN TEST THE OPTION.

McCracken: AND THEN ALONG THOSE LINES, DOES THIS MAP THAT YOU SHOWED A SECOND AGO HAS BEEN REALLY HELPFUL IN LOOK AT THE FOUR BLOCKS AND POTENTIALLY THE SIX BLOCKS IF WE ADDED IN THE SUBSTATION AND THE

CONTROL CENTER ON THE OTHER SIDE OF SHOAL CREEK. AND THAT IS, WHAT ARE THE RAMIFICATIONS OF GOING ON THE LIBRARY -- TO THE LIBRARY, IS IT MIXED USE VERSUS STAND ALONE? AND I DON'T KNOW THE ANSWER TO THAT BECAUSE I DON'T THINK WE'VE IDENTIFIED WHICH OF THE FOUR BLOCKS THAT WE HAVE ANTICIPATED THE LIBRARY GOING ON. BUT I THINK BEFORE WE DECIDE THAT IN THIS KIND OF HYPOTHETICAL NATURE, IT WOULD BE BE HELPFUL PERHAPS TO PUT INTO THE R.F.P. TO SAY, PRIVATE DEVELOPER PROPOSERS COME TO US WITH TWO OPTIONS ON THIS, ONE OF WHICH IS A CONCEPT FOR THIS DEVELOPMENT WITH A STAND ALONE CENTRAL LIBRARY, AND WHAT IS THE DEVELOPMENT LOOK LIKE AND HOW MUCH WILL YOU PAY US FOR THAT? AND THEN A SECOND CONCEPT WOULD BE WHAT IS THE CONCEPT OF WHAT THIS DEVELOPMENT WILL LOOK LIKE IF THE LIBRARY BE WAS BASICALLY A BASE BUILDING AND MAYBE THERE'S A POINT TOWER OR SOMETHING COMING OFF OF IT. AND ANOTHER PART OF THAT LOT. WHAT WOULD THAT LOOK LIKE AND WHAT WOULD YOU PAY US FOR THAT? AND THAT WAY WE CAN MAKE DECISIONS BASED ON CONCRETE CHOICES AS OPPOSED TO HYPOTHETICAL QUESTIONS THAT ARE REALLY DIFFICULT TO JUDGE RIGHT NOW. I COULD SEE A SCENARIO WHERE WE COULD GET A LOT MORE MONEY FOR THE DEVELOPMENT WHERE THE CENTRAL LIBRARY IS PART OF A MIXED USE BUILDING, BUT THE CONCEPT WOULD BE SO COUNTER TO WHAT OUR ASPIRATIONS ARE FOR A GREAT CENTRAL LIBRARY THAT WE WOULD SAY THIS IS GREAT, BUT THERE ARE OTHER VALUES AT PLAY. OR WE COULD GET REALLY A PHENOMENAL VISION THAT WE HAVEN'T CONTEMPLATED BEFORE AS IT BEING PART OF A MIXED USE DEVELOPMENT. I REALLY HAVE NO IDEA. SO I THINK IT WOULD BE HELPFUL TO HAVE THOSE CHOICES PRESENTED AND REALLY KIND OF INSPIRE THAT CREATIVITY THAT THIS PROCESS COULD PRODUCE.

I THINK THAT'S A GREAT IDEA. AND THE NICE PART ABOUT A REQUEST FOR PROPOSAL IS THE MORE ARTICULATE WE ARE IN THAT DOCUMENT, THE MORE KIND OF CREATIVITY YOU CAN ESSENTIALLY REQUIRE SO YOU COULD SEE HOW PEOPLE WOULD HANDLE DIFFERENT REQUIREMENT OPTIONS.

McCracken: MY TAKE ON THIS AT THE MOMENT WOULD BE THAT WE WOULD RESPECT THE WATERFRONT OVERLAYS, PARTICULARLY THE TOWN LAKE WATERFRONT OVERLAY. IF THERE IS -- IF THERE'S A CONCEPT FROM PROPOSERS THAT HAS A DIFFERENT TAKE ON HOW TO HANDLE THE WATERFRONT OVERLAY, PARTICULARLY ALONG SHOAL CREEK. I THINK IT WOULD BE IMPORTANT PARTICULARLY SINCE WE ARE TRYING TO SET AN EXAMPLE FOR OTHER DEVELOPERS TRYING TO VIOLATE THE WATERFRONT OVERLAY THAT WE WILL TRY TO LIVE BY OUR OWN RULES. I THINK WE SHOULD STICK TO THAT.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

THE WAWSHT FRONT OVERLAY --

Leffingwell: THE WATERFRONT OVERLAY, THE R.F.P. SHOULD SPECIFICALLY SAY THAT WE INTEND TO RESPECT THE WATERFRONT OVERLAY. IF THAT PROVES UNFEASIBLE, WE CAN ADDRESS THAT AT ANOTHER DATE, BE BUT I THINK IT'S IMPORTANT FOR TO US SET THE EXAMPLE ON THAT. SECONDLY ON THE LIBRARY, IT'S MY UNDERSTANDING THAT THIS IS THE FIRST PHASE OF THE LIBRARY WE'RE TALKING ABOUT AND THAT WE SHOULD DEFINITELY INCLUDE THAT THERE SHOULD BE ALLOWANCES FOR EXPANSION OF THIS LIBRARY IN THE FUTURE, WHICH WITH YOU ALREADY KNOW WILL HAPPEN AT SOME POINT. THAT TO ME MAKES IT ALMOST UNFEASIBLE THAT IT WOULD BE A MIXED USE BUILDING OF ANY KIND. TO ME THAT WOULD ALMOST REQUIRE THAT IT WOULD BE A STAND ALONE. WE ALSO TALKED ABOUT THE INTAKE STRUCTURE ACROSS CESAR CHAVEZ. THAT THIS WOULD NOT BE A PART OF THIS REDEVELOPMENT AND THAT WOULD BASICALLY REMAIN IN AN UNDISTURBED STATE UNTIL SOME OTHER DECISION IS MADE ABOUT THAT. SO I ASSUME THAT'S STILL THE CASE.

McCracken: COUNCILMEMBER KIM.

Kim: WHAT CAN YOU TELL US ABOUT WHAT WE CAN DO WITH THE SITE IN TERMS OF COMMERCIAL SPACE BECAUSE WE ALREADY HAVE QUITE A BIT OF RESIDENTIAL GOING DOWNTOWN AND WE PROBABLY WANT TO HAVE -- I KNOW WE WANT TO HAVE AFFORDABLE HOUSING IN THIS

DEVELOPMENT, ESPECIALLY SINCE WE ARE GOING TO BE PROBABLY EXCEEDING THE F.A.R. IN SOME OF THE SITES AND WE NEED TO APPLY THE SAME STANDARDS TO OURSELVES AS FAR AS THE DENSITY BONUS. BUT FOR COMMERCIAL SPACE CAN WE CREATE OFFICE SPACE TO LEASE TO OURSELVES OR TO LEET TO THE PUBLIC AT MARKET RATE?

YES, YOU COULD. AND PART OF WHAT WILL HAPPEN IS, AND WE SAW THIS IN BLOCK 21 AND WE'RE SEEING THIS IN SEAHOLM IS PART OF WHAT YOU GET BACK IN THESE PROPOSALS IS THEIR ASSESSMENT FOR WHAT THE MARKET IS LOOKING FOR. IS THE MARKET LOOK BEING FOR HOTELS OR MARKET SPACE OR HIGH END RESIDENTIAL OR WORKING RESIDENTIAL? SO ONE OF THE THING THAT WILL BE NICE FOR THAT IS WE'LL GET A SENSE FOR WHAT KIND OF OFFICE MARKET THERE IS AND WE CAN DEFINITELY IF THERE'S AN INTEREST WE COULD BE BE AN OWNER OF SOME OFFICE SPACE. FOR EXAMPLE, WE DID THAT WITH THE CHILDREN'S MUSEUM ON BLOCK 21 WITH THE CONDOMINIUM INTEREST IN THAT SPACE. SO WE HAVE A CONDOMINIUM INTEREST IN THAT BUILDING.

Kim: OKAY. AS FAR AS THE RESIDENTIAL YIEWS, I'D LIKE TO SEE PROPOSALS COME IN DIFFERENT THAN WHAT WE'RE SEEING IN THE MARKET, WHICH IS THE HIGH END LUXURY. WE'VE GOT PLENTY OF THAT. HIGH END, LUXURY UNITS, ONE, TWO BEDROOM UNITS. WE'RE LOOKING FOR SOMETHING DIFFERENT BECAUSE WE DON'T WANT TO BE COMPETING IN THAT SPACE, WHICH IS ALREADY CROWDED AND WILL BE AS THESE DEVELOPMENTS ARE FINISHING UP. BUT MAYBE THREE-BEDROOM, FOUR BEDROOM AND MAYBE GEARED MORE TOWARDS MIDDLE INCOME. MAYBE NOT THE FANCY FINISHOUT, BUT JUST A LIVEABLE SPACE FOR FAMILY, FOR EXTENDED FAMILIES. AND I WAS WONDERING IF THERE'S A WAY THAT WE CAN PRESERVE SOME OF THOSE MAYBE THROUGH A LOTTERY SYSTEM FOR OUR CITY EMPLOYEES, FOR TEACHERS. IS THERE SOME WAY WE CAN DO THAT WHERE WE CAN RESERVE SOME OF THAT HOUSING FOR CERTAIN PROFESSIONS LIKE COUNCILMEMBER MCCracken WAS TALKING ABOUT THAT WE WANT TO MAKE SURE THAT WE CAN AFFORD TO LIVE IN OUR CITY?

YOU KNOW, I DON'T KNOW THE ANSWER TO THAT RIGHT OFF THE TOP. BUT WE'LL RESEARCH THAT FOR YOU.

Kim: AS FAR AS THE LIBRARY BEING STAND ALONE OR MIXED USE, I DON'T HAVE A PREFERENCE. I THINK MIXED USE IS FINE. IF YOU HAVE COMPATIBLE USES AND I DON'T KNOW WHICH BLOCK WE WOULD PUT THE LIBRARY ON. I DO HAVE A QUESTION ABOUT THE AUSTIN MUSIC HALL BECAUSE IT IS GENERATING I GUESS MUSIC AND SOUND AT -- I GUESS DURING THE EVENINGS AND ON THE WEEKENDS. I DON'T KNOW WHAT THE HOURS OF OPERATION ARE. IT SEEMS INTUITIVE THAT YOU WOULDN'T WANT TO PUT THE LIBRARY NEXT TO IT. AND WHAT KIND OF SOUNDPROOFING HAVE THEY DONE AS FAR AS AFFECTING OUR PROPERTY.

IT'S INTERESTING THAT YOU RAISED THAT. WE JUST TALKED ABOUT THAT YESTERDAY AND WHETHER OR NOT WE MIGHT WANT TO THINK ABOUT INCLUDING SOME SOUNDPROOFING REQUIREMENTS ON THOSE BUILDINGS. WE NEED TO LOOK AT THAT. AND WHEN WE COME BACK BEFORE WE ISSUE THE R.F.P. WE'LL TALK TO YOU ABOUT WHETHER OR NOT IT WOULD GO INTO THE R.F.P. OR IF THERE'S ANOTHER WAY WE COULD HANDLE IT. PART OF WHAT WE WANT TO DO IN THE R.F.P. IS GET THE BASIC POLICY FRAMEWORK AND THEN THE DETAILS ARE NEGOTIATED IN THE DEVELOPMENT AGREEMENT. BUT EXCELLENT POINT AND WE NEED TO LOOK AT THAT.

Kim: CAN THANK YOU FOR CAPITALISING IN THE CHILD PLAY -- FOR KEEPING IN THE CHILD PLAYScape. THE MAYOR TOLD ME THERE ARE ABOUT A THOUSAND STUDENTS THAT GO TO BALLET AUSTIN. I HAD COMMENTED THAT'S A LOT -- I HAD COMMENTED THAT'S A LOT OF TUTU'S. I THINK THAT WOULD BE A NICE COMBINATION OR CLUSTERING OF AMENITIES FOR CHILDREN WITH THE LIBRARY AND BALLET AUSTIN AND WHO KNOWS, MAYBE AUSTIN MUSIC HALL COULD PARTICIPATE IN SOMETHING AS WELL FOR THE DAYTIME USES. LET'S SEE WHAT ELSE. I THINK WE SHOULD HAVE AN ESPECIALLY IF FASIS -- EMPHASIS ON LOCAL BUSINESSES, RETAIL SPACE, THAT IT BE FOR LOCAL BUSINESS. WHAT WE FIND OFTEN TIMES IN DEVELOPMENTS, WE HAVE A BEST BUY, A BED, BATHS AND BEYOND AT MUELLER. I UNDERSTAND THE ECONOMIC OF THAT SITUATION THAT IT'S EASIER TO GO FOR

A BIG BOX RETAILER OR A NATIONAL CHAIN, EVEN IF IT'S A SMALLER STORE, BUT I DON'T WANT TO SEE A GAP. I DON'T WANT TO SEE THOSE KIND OF STORES BECAUSE THEY CAN EASILY FINANCE FINISHOUT AND LEASE SPACE WITH DIFFERENT PROPERTY OWNERS AROUND THE CITY, AND EVEN IN DOWNTOWN. I JUST REALLY WOULD LIKE TO PRESERVE THAT FOR LOCAL BUSINESSES BECAUSE IT IS -- IT DOES TAKE A LITTLE MORE TIME AND PATIENCE TO WORK WITH THEM. THEIR CAPITAL IS NOT AS READILY AVAILABLE AS WITH THE NATIONAL CHAINS AND THOSE COMPANIES THAT ARE TRADED ON THE STOCK EXCHANGE. SO I REALLY WOULD LIKE TO PRESERVE FOR US THAT WE HAVE LOCAL BUSINESSES IF WE'RE GOING TO HAVE RETAIL THERE.

Mayor Wynn: MAYOR PRO TEM. DUNK AS WE'RE THINKING ABOUT --

Dunkerley: AS WE'RE THINKING ABOUT HOW TO USE THESE POSSIBLE SITES HERE WITH ALL OF THE VACANT SPACE RIGHT NOW, I DO THINK THAT IF WE COULD DO THE LIBRARY AS A STAND ALONE BUILDING WITH ROOM FOR EXPANSION FOR FLOORS IN THE FUTURE, TO HAVE A SINGLE LIBRARY BUILDING, BUT SOME OF THE LOTS ARE VERY LARGE. SO I'D LIKE TO HAVE SOMEONE MEET WITH SOME OF THE LIBRARY SUPPORTERS AND KIND OF GET THEIR INPUT ON. AND MAYBE THEY'VE ALREADY DONE THIS. IF THENTED A PARTICULAR SITE -- IF THEY WANTED A PARTICULAR SITE THAT WAS REALLY TOO LARGE FOR THE LIBRARY ALONE, WHAT OTHER COMPATIBLE USES COULD GO ON THAT BLOCK AND BE INTEGRATED AND WOULD THEY BE INTERESTED IN GOING TO A BLOCK THAT HAS RELATIVELY LESS BUILDING POTENTIAL AND COULD MAYBE BE A STAND ALONE AREA FOR THEM? I'M REALLY WANTING TO SEE WHAT KIND OF YIEWS THAT WE COULD HAVE THERE, WHETHER IT WOULD BE RETAIL OR MIXED USE. I KNOW SOME OF THE LIBRARIES THAT WE DID SEE IN SOME CITIES HAVE A LOT OF RETAIL WORKED IN AND CLOSE BY SO THAT YOU CAN HAVE THE COFFEE SHONZ AND YOU CAN HAVE -- COFFEE SHOPS AND YOU CAN HAVE THE RESTAURANTS AND THOSE SORTS OF THINGS FOR THE LIBRARY PATRONS AS WELL AS FOR THE OTHER CITIZENS. SO I THINK THAT WOULD BE SOME ADDITIONAL INPUT THAT I WOULD LIKE TO RECEIVE. IT'S NOT -- WE DON'T KNOW WHAT THE DEVELOPERS CAN COME BACK

WITH OR DESIGNERS COULD COME BACK WITH ALL OF THESE INPUT, BUT WE HAVE X MILLIONS OF DOLLARS RIGHT NOW TO BUILD A LIBRARY, AND WE WANT TO PRESERVE BE THE ABILITY TO GO UP IN THE FUTURE IF WE NEED TO AND WE HAVE A LOT OF OTHER WISHES ON AFFORDABLE HOUSING AND RETAIL AND CONDO AND COMMERCIAL. WE DON'T KNOW WHAT MIX THAT NEEDS TO BE UNTIL THE MARKET STUDY IS DONE. BUT I THINK IT'S IMPORTANT THAT OUR HOUSING FOLKS STAY INVOLVED BECAUSE WE DO HAVE A LOT MORE TOOLS NOW TO USE IN THIS CONCEPTUAL PHASE, EVERYTHING FROM THE LAND TRUST TO THE AAFC TO ALL OF -- AHFC TO ALL OF THESE KIND OF TOOLS. SO I THINK ALL OF IT TOGETHER WE CAN COME UP WITH SOME PRETTY EXCITING DESIGNS AND CONCEPTS THAT WILL MAKE THIS BLOCK NOT ONLY PRODUCE FOR THE CITY FROM AN ECONOMIC DEVELOPMENT PERSPECTIVE, BUT FOR THE CITY FOR PUBLIC USE. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] WEST AVENUE. IT WILL HAVE THE PARKING STRUCTURE ALREADY IN PLACE ARCHAND THE SEA HOMESITE IS ADDING A HEAVY CULTURAL COMPONENT TO. SO AN OPTION, I THINK, TO EXPLORE WITH OUR LIBRARY LEADERS IS TO -- IF WE ARE ABLE TO EXPAND THE RFP TO INCLUDE THE TWO AUSTIN ENERGY BLOCKS, THE CONCEPT OF EXPANDING OUR EXISTING IMPORTANT CIVIC BUILDINGS ON TOWN LAKE TO INCLUDE A FREESTANDING STAND ALONE CENTER THAT FRONTS ONTO TOWN LAKE THAT'S BASICALLY PART OF THE SEA HOME REDEVELOPMENT. AND THERE ARE SOME OPTIONS THAT WE CAN EXPAND THIS..

MAYOR WYNN: FURTHER QUESTIONS, COMMENTS? I'D JUST LIKE TO SAY A FEW THINGS. FIRST AND FOREMOST, I AGREE WITH A COUPLE COMMENTS I'VE HEARD THAT THE CITY OF AUSTIN SHOULD VERY MUCH RESPECT THE WATERFRONT OVERLAY, AND SO WE SHOULD JUST, YOU KNOW, MAKE SURE THAT'S PART OF OUR -- OUR CONCEPT. AND THEN TO BUILD ON BOTH MAYOR PRO TEM AND COUNCIL MEMBER MCCRACKEN'S THOUGHTS ABOUT HOW TO MAXIMIZE AND UTILIZE THE FLEXIBILITY TO MAXIMIZE SORT OF THE RETURN, IN GENERAL, IS, I COULD ALSO SEE THE RFP BEING AS RELATIVELY SIMPLE AS, YOU KNOW, WE HAVE \$90 MILLION OF APPROVED BONDING, AND WE HAVE THIS FABULOUS SITE, AND CHALLENGE THE CREATIVITY AND

FINANCIALLY AND TREK TUR AND OTHERWISE, THE DEVELOPMENT COMMUNITY TO HELP US MAXIMIZE THAT OPPORTUNITY, INCLUDING JUST THINKING THROUGH THE -- YOU KNOW, MY INSTINCT IS WHEN WE FINISH THE COMPLETE DECOMMISSIONING AND DEMOLITION OF THAT SITE IT'S NOT GOING TO LOOK THAT MUCH DIFFERENT THAN THE BIG HOLE IN THE GROUND AT 2ND AND COLORADO WHERE METLIFE IS BUILDING THEIR PROJECT. I THINK YOU'RE GOING TO SEE THAT AND BOARDS AND A HOLE STRAIGHT DOWN IN THE GROUND BECAUSE I THINK THAT ENTIRE SITE WILL HAVE TO BE EXCAVATED TO A GREAT DEPTH. AND SO HAVING THOUGHT THROUGH THAT, IS AS OPPOSED TO US, THEN, ASSUMING WE'RE GOING TO GO IN AND BUILD THOSE TWO ROWS, THE NORTH-SOUTH EXTENSION OF NUECES AND THE EAST WEST EXTENSION OF EAST 2ND STREET, I CAN ALSO SEE A VERY LARGE UNDERGROUND PARKING GARAGE, PERHAPS OVER THE ENTIRE FOUR BLOCK SITE WITH, IN THEORY, YOU KNOW, THOUSANDS OF PARKING SPACES, AND THEN THAT SERVES AS THE ACTUAL STRUCTURE FOR THE TWO ROADS TO BE BUILT UPON. AND SO AS OPPOSED TO LOOKING AT THIS AS SORT OF FOUR IMPRESSIVE BUT INDIVIDUAL BLOCKS OF LAND DOWNTOWN, THERE MIGHT BE SIGNIFICANT ECONOMIES IF WE STEP BACK AND SAY WHAT WE REALLY HAVE IS ONE BIG BLOCK OF LAND THAT MORE THAN LIKELY, WHEN OUR UTILITY AND PUBLIC WORKS DEPARTMENT ARE THROUGH WITH IT, IS GOING TO BE A BIG HOLE IN THE GROUND, BEFORE WE START OVER AGAIN. SO I CAN SEE SOME FLEXIBILITY AND SOME OPPORTUNITY FOR, YOU KNOW, THIS RFP TO EVEN OFFER THAT. AND LASTLY, IT SEEMS TO ME, MR. GARZA, MY INSTINCT ON AUSTIN ENERGY'S OPPORTUNITY TO EXPAND THIS RFP IDEA THAT COUNCIL MEMBER MCCRACKEN TALKED ABOUT, WHICH I LIKE, IS THAT BECAUSE OF OUR -- OUR PROGRESS NOW WITH -- I GUESS IT'S PUBLICLY KNOWN -- THE TOKYO ELECTRON THAT WE WILL BE PURCHASING FOR OUR NEW STATE OF THE ART, PERHAPS BETTER LOCATED CONTROL CENTER, IS THE FACT THAT THAT BUILDING ALREADY EXISTS AND IT'S GOING TO BE A RETROFIT OF AN EXISTING BUILDING VERSUS THE MORE LENGTHY, YOU KNOW, SITE ACQUISITION AND CONSTRUCTION PROCESS, DESIGN AND CONSTRUCTION PROCESS, THAT MY INSTINCT WAS THE THE

SCADA BUILDING COULD BE VACATED LIKELY SOONER THAN COULD THAT SUBSTATION BE, YOU KNOW, DRAMATICALLY SHRUNK IN SIZE. MAYBE I'M WRONG WITH THAT. BUT AGAIN, EVEN IF IT'S NOT, YOU KNOW, CO-TERMINUS WITH THE IDEA WITH THE GREEN SITE, IF THERE IS -- JUST PICK A NUMBER, IF THERE'S 2 MILLION SQUARE FEET OF SPACE OF SOMETHING BUILT ON THE GREEN SITE, MORE THAN LIKELY EVEN THAT GETS STAGED. THAT IS, THAT'S A LOT OF SQUARE FOOTAGE, EVEN WITH FOUR OR FIVE DIFFERENT USES TO BE BROUGHT ON THE MARKET AT THE SAME TIME AND JUST PICK WITH THE CONSTRUCTION LOGISTICS OF THAT ANYWAY, SO IT IT SEEMS TO ME TO ME THAT IF SCADA CAN'T BE DECOMMISSIONED AND MOVED THAT QUICKLY, IT CAN CERTAINLY BE IDENTIFIED AS THE IMMEDIATE NEXT PHASE AND THEN MY INSTINCT IS THE SUBSTATION MIGHT BE THE LAST OF THE THREE, BUT IF YOU COULD HELP ME UNDERSTAND THE AUSTIN ENERGY DYNAMICS ON THOSE TWO TRACKS.

WE WOULD BE LOOKING ON THE OUTSIDE AT MOVING INTO THE NEW FACILITY IN 2010, BUT I WOULD WANT TO LOOK AT THAT CONSIDERING WHAT WE'RE TALKING ABOUT TODAY, TO SEE HOW IT COULD BE ADJUSTED. WE CERTAINLY WOULD MAKE EVERY EFFORT TO BLEND IN THE PLANNING FOR A COMPREHENSIVE LAND MASS.

AND HELP ME THINK THROUGH THIS TIMING, THEN. SO SAY WE MOVE INTO THE NEW CONTROL CENTER IN 2010, HOPEFULLY EARLIER RATHER THAN LATER, BUT DO YOU ANTICIPATE A LOT OF SORT OF DECOMMISSIONING, IF YOU WILL, OF THE EXISTING BUILDING? I TRUST IT WOULDN'T BE AS COMPLICATED, CERTAINLY, AS THE GREEN WATER TREATMENT PLANT SITE, BUT INEVITABLY I SUPPOSE THERE WOULD BE SOME ENVIRONMENTAL ANALYSIS OF CONCERN, AND ALSO BEING ON THE BEND OF SHOAL CREEK, IT MIGHT BE A MODERATELY COMPLICATED, YOU KNOW, DEMOLITION AND STABILIZATION PROJECT AS WELL.

WE HAVE SOME OPERATIONS THERE, SOME EQUIPMENT, BUT IT HAS -- IT'S NOT THE INDUSTRIAL -- DOESN'T HAVE THE INDUSTRIAL ASPECTS THAT A PLANT WOULD, BUT IT WOULD STILL BE WISE TO CONSIDER IT ALONG THOSE LINES THAT I'M EXPECTING SOMETHING NOT AS COMPLICATED AS SEA

HOME WOULD HAVE BEEN.

ONCE THE NEW CONTROL CENTER IS UP AND OPERATIONAL, IN THEORY IT COULD BE JUST A MATTER OF A FEW MOMENTS OF KNOW TAKING OUT ALL THE EQUIPMENT, SALVAGING WHAT WE CAN AND HAVE THAT BUILDING READY FOR DEMOLITION?

AS WE WOULD MOVE TO THE -- FOR THE -- FORWARD WITH AN RFP AND A CONTRACT, AND AT THE SAME TIME WE WOULDN'T PUT IT SEQUENTIALLY. WE WOULD, IN FACT, BE WORKING ON BOTH PROJECTS AT THE SAME TIME.

AND THAT WAS MY FAULT ON IT ALSO. WE COULD DO SOME WORK IN THE INTERIM, INCLUDING LOOKING -- PROBABLY ONE OF OUR BIGGEST ISSUES THERE, MAYOR, WOULD BE LOOK AT THE PAST HISTORY ON THAT PROPERTY, A LITTLE LESS WHAT OUR CURRENT USE IS ON IT THAN WHAT HAPPENED IN THE AGE OLD DAYS ON THAT PROPERTY.

MAYOR WYNN: THANK YOU, MR. GARZA. FURTHER QUESTIONS, COMMENTS? MAYOR PRO TEM?

DUNKERLEY: I'D LIKE TO HAVE YOU TAKE A LOOK AT THAT ELECTRIC SITE, THE AREA THAT -- IF ALL THE TIMES AND DATES COULD WORK, COULD POSSIBLY BE CONSIDERED FOR A LIBRARY, GIVE US THOSE NUMBERS THAT YOU -- AS YOU DID ON THE OTHER PARK, POTENTIAL BUILD-OUT NUMBERS, SO WE CAN BEGIN TO SEE IF THERE'S EVEN A POTENTIAL THERE TO USE IT. MY GUESS IS IT WOULD BE PROBABLY COMPARABLE TO SOME OF THE BETTER NUMBERS, BUT, YOU KNOW, I REALLY DON'T KNOW.

OKAY. WE'LL DO THAT.

DUNKERLEY: OKAY. AND IF YOU COULD SEND THAT TO US JUST IN AN EMAIL SO THAT AS WE BEGIN LOOKING AND THINKING ON THESE BLOCKS, WE'LL HAVE A FEW MORE NUMBERS THERE TO DO THAT WITH.

OKAY. MAYOR, I WAS GOING TO ATTEMPT TO SUMMARIZE SOME OF THE FEEDBACK AND DIRECTION WE'VE GOTTEN.

MAYOR WYNN: THANK YOU.

PROBABLY THE MOST IMPORTANT THING FROM A PROJECT SCOPE PERSPECTIVE, AS YOU WERE ASKING US TO TAKE A LOOK AT BOTH THE ELECTRIC SUBSTATION TO THE WEST AND THE CONTROL CENTER TO SEE IF THEY COULD BE INCLUDED IN THIS RFP PROPOSAL. PART OF THAT WOULD BE THE MASSING STUDY THAT THE MAYOR PRO TEM JUST ASKED FOR AND WHAT DEVELOPMENT POTENTIAL IS ASSOCIATED WITH THOSE BUILDINGS. YOU'VE ASKED US TO LOOK AT THE BENEFITS OF INCLUDING NON-PROFITS FOR AFFORDABLE HOUSING, WHAT ARE THE PLUSES OF THAT, DOES THAT CRACK OPEN ANY DOORS FOR FUNDING OR OTHER KINDS OF OPPORTUNITIES. YOU'VE ASKED US TO LOOK AT TWO OPTIONS, A PUBLIC PARKING GARAGE AND A PRIVATE PARKING GARAGE. YOU'VE ALSO ASKED US TO LOOK AT WHAT -- HOW WE CAN PARTNER WITH THE DECOMMISSIONING TEAM SO THAT WHEN THEY DIG EVERYTHING OUT OF THE GROUND, WHETHER OR NOT WE COULD THINK IN TERMS OF ONE BIG GARAGE AND PUT THE ROADS ON TOP OF THAT AND JUST SORT OF RETHINK HOW THAT SEQUENCING WOULD WORK. YOU'VE ASKED US TO LOOK AT -- TO REQUIRE THE PROPOSERS TO SHOW A LOT OF DISCUSSION ON THE LIBRARY AND IT'S CLEAR THAT WE'RE GOING TO COME BACK FOR MORE DISCUSSION ON THAT, BUT ONE OF THE IDEAS WAS TO REQUIRE THE PROPOSERS TO SHOW TWO OPTIONS: A STAND-ALONE LIBRARY WITH ROOM FOR EXPANSION AND AN IDEA FOR LIBRARY'S PART OF VERTICAL MIXED USE THE IDEA BECOMING IF IT BECOMES A DESIGN CHALLENGE. YOU'VE ASKED US TO LOOK AT SEVERAL COMMENTS ABOUT JUST LIKING THE IDEA OF SOME CHOICES IN THE RFP SO AS PROPOSERS COME BACK TO YOU, YOU'RE CHALLENGING THE CREATIVITY, WHAT USES YOU WOULD ASSOCIATE WITH THE LIBRARY, RESTAURANTS, RETAIL, COMMERCIAL, AN INTERESTED IN GOING INPUT FROM THE LIBRARY SUPPORTERS ON WHAT THEY SEE AS THE APPROPRIATE USES NEAR A LIBRARY SO THAT THOSE ARE INFORMED DECISIONS AS WE MOVE FORWARD, AN EMPHASIS ON LOCAL BUSINESSES AND THE RETAILING COMMERCIAL SPACES THAT ARE CREATED IN THIS REDEVELOPMENT, A STRONG EMPHASIS THAT WE WILL BEGIN WITH THE PRESUMPTION

THAT THE CITY IS GOING TO COMPLY WITH THE WATERFRONT OVERLAY ORDINANCES SO THE MASSING STUDIES THAT WE SHOWED YOU TODAY WOULD STAND. YOU LIKE THE IDEA OF INCLUDING ALLOWANCES, OBVIOUSLY, IN THE LIBRARY FOR EXPANSION SO THAT WE CAN SEE HOW A LIBRARY EXPANSION COULD BE HANDLED IN THE FUTURE, AND HOW THAT WOULD WORK OR COULD IT WORK AS PART OF A VERTICAL MIXED USE. CLEARLY YOU CAN DO THAT AS A STAND-ALONE BUT COULD YOU DO IT AS PART OF A VERTICAL MIXED USE. YOU WANTED CLARIFICATION THAT THE INTAKE STRUCTURE WAS NOT PART OF THIS PROCESS AND IT IS NOT. YOU WANTED A -- THE DEVELOPMENT POTENTIAL OF THE SUBSTATION AND THE CONTROL SITE AND LOOK AT THE POSSIBILITY OF SIGHTING THE LIBRARY AT THE SUBSTATION, WHAT ARE THE ISSUES THERE. GET A LITTLE BIT OF HISTORY ON THE CONTROL CENTER SITE TO SEE IF THERE ARE ANY REDEVELOPMENT ISSUES THAT WE NEED TO KNOW ABOUT NOW AND THAT'S PROBABLY GOING TO LOOK AT PREVIOUS USES OF THAT SITE. LOOKING FOR AN EMPHASIS ON MIDDLE RESIDENTIAL AND LOTS OF CONVERSATION ABOUT THE NEED TO INCORPORATE AFFORDABLE HOUSING INTO THIS SITE AND THE BEST WAY TO DO THAT, AND I THINK THAT IS ALL OF THE MAJOR COMMENTS. IF I'VE MISSED ANYTHING PLEASE LET ME KNOW.

MAYOR WYNN: SOUNDS VERY COMPREHENSIVE. COUNCIL MEMBER LEFFINGWELL?

LEFFINGWELL: I DON'T THINK YOU MISSED ANYTHING, BUT I WAS JUST THINKING, IT WOULD BE HELPFUL, TO ME AT LEAST, TO KNOW WHAT THE PROPOSED HEIGHTS WOULD BE. I KNOW YOU TERMED IT -- USED THE TERMS OF FAR BECAUSE IT WILL BE VARIABLE DEPENDING HOW FAR AWAY FROM THE WATERWAYS IT IS, BUT IT WOULD BE HELPFUL TO HAVE SOME FEEL FOR WHAT THEY WOULD BE.

YOU BET. ONE OTHER THING, I CAN'T BELIEVE WE FORGOT THIS BECAUSE I KNOW -- BUT GREEN BUILDING AND WHAT IS THE LEAD STANDARD FOR THE BUILDINGS AND MAYBE GREEN ROOFTOPS AND WATER REUSE AND MAYBE SOME OF THE THINGS WE'D LIKE TO SEE IN GREEN BUILDINGS IN

TERMS OF THESE FOUR LOTS.

MAYOR WYNN: AGREED. THANK YOU.

SO MAYOR, THERE'S JUST ONE MORE SLIDE AND IT'S NEXT STEP, SO WHAT WE INTEND TO DO IS TO COMPLETE THE FEASIBILITY STUDY. IT WILL HELP INFORM SOME OF THESE DECISIONS. IT WON'T BE FINAL ANSWERS BUT IT WILL AT LEAST GIVE US SOME INSIGHT INTO THINGS LIKE PRIVATE VERSUS PUBLIC GARAGE, VERTICAL MIXED USE VERSUS STAND ALONE, THE FINANCIAL ASPECTS OF THOSE DECISIONS. WE'RE GOING TO BEGIN DRAFTING THE RFP WITH CITY COUNCIL. WE WEREN'T HERE ASKING YOU TODAY FOR FINAL DECISIONS. WHAT HAPPENED TODAY IS EXACTLY WHAT WE WERE HOPING FOR WHICH IS TO MAKE SURE WE'VE CAPTURED YOUR POLICY INTEREST. SO WE'LL COME BACK AFTER THE SUMMER BREAK AND IT SOUNDS TO ME AS THOUGH OUR EMPHASIS WOULD THEN BE REPORTING OUT TO YOU ON THE FEASIBILITY STUDY, A VERY THOROUGH DISCUSSION ABOUT THE LIBRARY AND THEN A DISCUSSION ON THE AFFORDABLE HOUSING. AND WE'LL ORGANIZE TODAY'S COMMENTS AND STEP YOU THROUGH DECISION POINTS AND THEN FROM THERE WE'LL DRAFT THE RFP. IF WE EXPAND THE SCOPE TO INCLUDE THE TWO OTHER SITES, MY GUESS IS THAT WE WILL NOT BE ISSUING THE RFP AT THE END OF THIS YEAR BUT WOULD NEED TO ISSUE IT PROBABLY AT THE BEGINNING OF 2008. BUT WE'LL BE BACK - - ONCE YOU COME BACK FROM SUMMER BREAK AND WE WILL FOLLOW UP ON THESE QUESTIONS AND MORE INFORMATION ON THIS PROJECT.

MAYOR WYNN: THANK YOU, MS. HUFFMAN, VERY MUCH.

THANK YOU.

MAYOR WYNN: SO COUNCIL, WE TECHNICALLY DON'T HAVE ANY POTENTIAL ACTION ITEMS BEFORE WE GET SOME LEGAL ADVICE IN CLOSED SESSION, SO WITHOUT OBJECTION, WE WILL NOW GO INTO CLOSED SECTION FOR THE NEXT 30 MINUTES AT LEAST, PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT, TO TAKE UP POTENTIALLY LEGAL ISSUES RELATED TO ITEM NO. 5 AND 7, BOTH DEALING GENERALLY WITH THE LOST CREEK

ANNEXATION ISSUES. ITEM NO. 29 RELATED TO PROPOSED CONTRACT WITH TEXAS DISPOSAL SYSTEM, 37, LEGAL ISSUES CONCERNING THIS CURRENT LEGISLATIVE SESSION. 40, REGARDING PROPOSED SETTLEMENT WITH LCRA AND THE CITY OF AUSTIN REGARDING ISSUES -- WHAT WILL BE IN FRONT OF THE TCEQ, AND ITEM NO. 66, LEGAL ISSUES CONCERNING AN AMENDMENT WITH OUR AUDIT CONTRACT. WE ARE NOW IN CLOSED SESSION. I ANTICIPATE US COMING OUT IN 30 MINUTES FOR OUR NOON GENERAL CITIZEN COMMUNICATION. THANK YOU. FRANCES MARTINEZ VATSTRATUS

MAYOR WYNN: WE'RE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ONLY ITEM NO. 40, LEGAL ISSUES RELATED TO A SETTLEMENT WITH THE LCRA. WE'RE NOW BACK IN OPEN SESSION IN TIME FOR GENERAL CITIZEN COMMUNICATION. WE HAVE TEN SPEAKERS WHO SIGNED UP WISHING TO ADDRESS US. THEY'RE ALL GETTING COMFORTABLE IN THEIR SEATS NOW. WE'LL GO FROM TOP TO BOTTOM. OUR FIRST SPEAKER IS FRANCES MARTINEZ, TO BE FOLLOWED BY MARCELO TAFOYA. AND ACTUALLY YOU CAN GO IN ANY ORDER YOU LIKE. COMMISSIONER DE LEON IS SIGNED UP AS IS FIDEL, AND GAVINO FERNANDEZ AND PAUL HERNANDEZ AND GLORIA MORENO. WELCOME.

GOOD AFTERNOON, MAYOR. I DO KNOW THAT THE COMMISSIONER DE LEON HAD TO LEAVE BECAUSE HE HAD TO GO BACK. IS IT POSSIBLE THAT ANOTHER COMMISSIONER SPEAK IN HIS SLOT?

MAYOR WYNN: YES.

THANK YOU. GOOD AFTERNOON, COUNCIL, MY NAME IS GAVINO FERNANDEZ AND FIRST I'D LIKE TO ANNOUNCE AND INVITE YOU TO PARTICIPATE AND TAKE PART IN OUR JAMICA ON JUNE 3. WE WELCOME THE ENTIRE COMMUNITY. IT'S A FAMILY EVENT AND WE EXPRESS OUR INVITATION TO YOU. WE WANT TO -- I WANT I WANT TO SPEAK TO YOU ON NUMEROUS ISSUES LISTED ON THE CITIZENS COMMUNICATION AGENDA AND ONE OF THEM IS THE 90-DAY MORATORIUM. WE ONCE AGAIN ARE COMING BEFORE YOU TO ASK FOR THAT 90-DAY MORATORIUM ON CESAR CHAVEZ. AS WE KNOW, THERE ARE QUITE A FEW BUSINESSES ON

CESAR CHAVEZ THAT ARE NONCOMPLIANT AND SINCE CODE ENFORCEMENT IS BASED ON COMPLAINT DRIVEN, WE ARE DEALING WITH ONE PARTICULAR BUSINESS RIGHT NOW, A PUSH-UP, WHICH HAS FALLEN INTO THIS COMPLAINT DRIVEN SITUATION AND IS HAVING TO DEAL WITH THE ISSUE, YET THERE ARE VERY NUMEROUS BUSINESSES ON CESAR CHAVEZ, AND I THINK THAT A 90-DAY MORATORIUM WILL ALLOW THIS GOVERNMENT TO REVISIT THOSE PARTICULAR BUSINESSES AND BRING THEM INTO COMPLIANCE AS OPPOSED TO IT BE BASED ON A COMPLAINT DRIVEN AND WE'LL HAVE THE WHOLE PLANNING DEPARTMENT AND WHATNOT FLOODED WITH THESE COMPLAINTS AND CODE ENFORCEMENT. SO I HOPE THAT THAT IS SOMETHING THAT WILL GIVE WEIGHT TO OUR REQUEST FOR A 90-DAY MORATORIUM, SO THAT WE CAN REVISIT THE APPROPRIATE ZONING FOR THOSE BUSINESSES THAT ARE CURRENTLY THERE AND HAVE BEEN THERE FOR MANY YEARS, AND PROBABLY SHOULD BE GRANDFATHERED. BUT AGAIN, BECAUSE IT IS COMPLAINT DRIVEN, YOU DO HAVE THAT RISK OF HAVING NUMEROUS COMPLAINTS AND NUMEROUS CASES BEFORE YOU. THE OTHER ONE IS OH IT'S A VERY IMPORTANT ONE AND A PERSONAL ONE TO ME, SO I WANT TO EXCLUDE MYSELF FROM THIS ONE IN REGARDS TO ASKING YOU AS THE AUSTIN HOUSING FINANCE CORPORATION DIRECTORS TO RESTORE BACK AN AGREEMENT THAT WAS MADE IN 1994 WHEN THE HOLLY PARKLAND FIRE OCCURRED, THAT THIS GOVERNMENT WAS GOING TO WORK WITH THE NEIGHBORHOOD, AND THAT AUSTIN COMMUNITY WAS GOING TO MAKE AVAILABLE A MILLION DOLLARS TO THE NEIGHBORHOOD TO IMPROVE THE PROJECT AND MAKE IT FUNDABLE. WE ASKED AT THAT TIME, I REMEMBER, WE SAID, STOP, GOING TO THE MEDIA. THE MAYOR SAID. WE'LL WORK WITH YOU. INDEED THAT CAME A RESOLUTION THAT SPOKE TO INVESTING IN REPAIRING OR REPLACING HOMES IN THE IMMEDIATE AREA OF THE HOLLY POWER PLANT. AND WE ASK THAT IT NOT BE TURNED INTO A FEDERAL PROGRAM AND THERE BE NO GUIDELINES. THE ONLY CRITERIA, THAT THE QUALIFYING PARTY MUST BE WITHIN THE AREA. THINGS HAVE CHANGED AND WE FEEL THAT THAT IS A BETRAYAL FROM THAT AGREEMENT BY THIS GOVERNMENT AND WE ASK YOU TO SERIOUSLY RECONSIDER THAT. DON'T PUNISH MS. RICHARDSON AND

THE OTHER PARTY BECAUSE OF WHATEVER REASONS, IT WAS MOVED FROM A 15 TO A 30-YEAR FORGIVABLE LOAN. THANK YOU.

MAYOR WYNN: THANK YOU, MR. FERNANDEZ. WELCOME.

GOOD AFTERNOON, CITY COUNCIL MEMBERS AND MS. TOBY FUTRELL. AND TODAY I'M HERE -- I'M CHAIRPERSON OF NEIGHBORHOOD ASSOCIATION AND HERE I'M HERE TO ASK YOU TO PLEASE RECONSIDER AND RESTORE THE HOLLY GOOD NEIGHBOR PROGRAM, WITH NO ECONOMIC GUIDELINES, ALSO TO ENFORCE THE 15-YEAR FORGIVABLE LOAN. WE ALSO SUPPORT THE 90-DAY MORATORIUM ON CESAR CHAVEZ, AND I TRULY HOPE THAT SOME OF THOSE BUSINESSES WILL BE GRANDFATHERED IN TO THIS PROGRAM. WE ARE STILL HAVING CONCERNS WITH THE HORTIS ON 300 STREET. THEY DO POSE, I FEEL STRONGLY, A HEALTH HAZARD, BECAUSE WHEN THEY ARE BATHING THESE HORSES, ALL THE MANURE AND THE WATER GOES INTO THE SEWER THAT'S THERE. ALSO, IT -- SOMETIMES THEY HAVE POOP ON THE STREETS AND I AGAIN HAVE TO CALL THE 311. SO THIS IS A HEALTH HAZARD AND WE THE NEIGHBORHOOD WOULD LIKE FOR YOU TO LOOK INTO THIS -- TO THIS PROBLEM. WE FIND IS A VERY, VERY HEALTH HAZARD. ALSO, WE DO HAVE THE COMAL PARK AND NOW THAT SUMMER IS COMING IT'S GOING TO BE VERY HOT AND OF COURSE THOSE HORSES ARE THERE BETWEEN THE HOURS OF 4:30 AND 6:00, BUT STILL I MEAN, THE SMELL IS TERRIBLE. SO IF YOU-ALL CAN LOOK INTO THAT. AND ALSO FOR THE -- WE HAVE ENJOYED THE PARK VERY MUCH THERE AT COMAL. THE LIGHTS ARE STILL ON AT NIGHTTIME. HOWEVER, DURING THE SUMMER MONTHS THE CHILDREN AND THE CITY PROGRAMS ARE THERE. WE WOULD LIKE TO HAVE THE SAME PROTECTION THAT'S AT THE OTHER PARK, SO IF YOU-ALL CAN ACCOMMODATE US ON THAT TOO. AND I WOULD LIKE TO AT THIS TIME THANK COUNCIL MEMBER MIKE MARTINEZ FOR HIS SUPPORT FOR OUR JAMICA AND WE INVITE YOU TO COME ON JUNE 3, AT 2208 EAST SECOND STREET. [IN SPANISH] MIEWSH AS GRASSTHANK YOU. I FORGOT ONE THING. ALSO, FOR THE CODE ENFORCEMENT, SOME OF OUR NEIGHBORS, SOMETIME THEY PUT A TARP ON THEIR CARS THAT ARE IN THE FRONT OF THE YARDS AND THEY ARE CITED FOR THAT. THEY SAY THAT'S NOT

ALLOWED. WE WOULD LIKE -- AND ALSO THE BICYCLES, THEY JUST RUN OVER THE STOP SIGNS, THEY DON'T STOP, AND WE WOULD LIKE TO SEE MAYBE A CODE ENFORCEMENT STAFF TO COME OUT AND UPDATE US ON ALL THESE ENFORCEMENTS. THANK YOU.

DUNKERLEY: THANK YOU. MR.

GOOD DAY. MY NAME IS MARCELO. I'M BLUE LIGHT DISTRICT 7 DIRECTOR AND BY THE WAY, I WANT TO TELL YOU THAT THIS WEEKEND BLUE LIGHT IS HAVING THEIR STATE CONVENTION IN EL PASO AND I WILL BE ASKING IF THEY CAN BRING THE STATE CONVENTION HERE TO AUSTIN IN 2010 AND I WOULD LIKE TO HAVE THE COUNCIL'S BLESSING ON THAT. WE'VE GOT THE BLESSING AS PART OF THE AFRICAN AFRICAN-AMERICAN CHAMBERS BUT THE OTHER CHAMBERS HAVE NEVER RESPONDED. IT NAIX NO DIFFERENCE, THEY'RE STILL COMING TO TOWN IF WE GET THAT OPPORTUNITY. WE ONLY HAVE ONE OTHER TOWN BIDDING AND IT'S LUBBOCK, AND I DON'T WORRY MUCH ABOUT THEM. I USED TO LIVE THERE. WE HAVE A LOT TO OFFER. WE ESTIMATE ABOUT 2,000 DELEGATES WILL BE HERE THAT DAY AND IT'S A FOUR DAY EVENT. BUT BY THE WAY, I ALSO SUPPORT NOT ONLY THE CRISTO REY JAMICA, WHICH IS COMING UP. A LOT OF PEOPLE COME, WE HAVE A LOT OF GOOD FOOD AND ENJOYMENT FOR EVERYONE. I WANT TO THANK MIKE FOR HELPING OUT WITH THE CLOTHING. MIKE HAS BEEN A GOOD FRIEND OF OURS. AND ALSO I SUPPORT THE MORATORIUM ON THE CONDOS AND LOFTS ON EAST CESAR CHAVEZ AND SIXTH STREET. ALSO CODE ENFORCEMENT. WE'VE HAD PROBLEMS WITH THAT. WE'VE LIVED IN THAT NEIGHBORHOOD FOR MANY, MANY YEARS AND THERE'S A LOT OF THINGS THAT WE CAN AFFORD AND WE CAN'T AFFORD. A LOT OF PEOPLE ARE ON A FIXED INCOME SO THEY COULD BUILD THESE HUGE PARKING LOTS INSIDE THEIR HOUSES WITH CONCRETE. FIRST OF ALL THE HOUSES WERE NEVER THAT BIG IN THE FIRST PLACE. WHAT WE'RE ASKING IS A LITTLE CONSIDERATION, AND IF SOMETHING HAS TO BE DONE TO GIVE THEM THE TIME THAT IT TAKES TO DO IT BEFORE THEY START FILING CHARGES, AND THEY'RE DOING EVERYTHING ELSE LIKE THAT BECAUSE, AFTER ALL, YOU KNOW, I UNDERSTAND THAT YOU DON'T HAVE TO BE IDENTIFIED WHEN YOU TURN IN SOMEBODY, BUT I ALWAYS

BELIEVE THAT YOU HAVE THE RIGHT TO CONFRONT YOUR ACCUSERS, AND THAT DOESN'T HAPPEN. AND ALSO HOLLY NEIGHBORHOOD OWNERSHIP REPLACEMENT, THE 15-YEAR PLAN, I THINK WE OUGHT TO GO BACK TO THE ORIGINAL PLAN BECAUSE IT WAS KIND OF LIKE A PROMISE TO THE NEIGHBORHOOD AFTER THEY SUFFERED FOR SO MANY YEARS WITH THE HOLLY POWER PLANT BEING THERE. ONCE AGAIN I WANT TO THANK YOU VERY MUCH AND ONCE AGAIN THANK YOU FOR YOUR BLESSINGS AS FAR AS BRINGING BLUE LIGHT STATE CONVENTION GOLF IN 2010 AND HOPEFULLY PRETTY SOON THE NATIONAL. THANK YOU VERY MUCH.

DUNKERLEY: THANK YOU, AND WE DO ALL BLESS HAVING THAT CONVENTION COME HERE. THANK YOU. WE WOULD LOVE TO HAVE YOUR CONVENTION COME HERE.

THANK YOU.

DUNKERLEY: THANKS. MARCOS DE LEON? DISBLOOB MAYOR PRO TEM, COUNCIL MEMBERS, I THANK YOU ALL VERY MUCH. I'M HERE TO SUPPORT THE 90-DAY MORATORIUM AND ALSO THE HOLLY NEIGHBORHOOD PROGRAM. AS YOU KNOW, WE HAVE BEEN IN THE NEIGHBORHOOD FOR OVER TEN YEARS. WE ARE NOT IN THE NEIGHBORHOOD JUST TO PROVIDE SERVICES BUT WE HAVE ALWAYS BEEN THERE FOR THE NEIGHBORHOOD TO DEAL WITH THE ISSUES OF THE NEIGHBORHOOD AND HELP THE NEIGHBORHOOD. SO THAT'S WHY I'M HERE. AND I WOULD ALSO LIKE TO EXTEND MY PROFOUND GRATITUDE TO COUNCIL MEMBERS MIKE MARTINEZ AND SHERYL COLE FOR HELPING US AND WORKING WITH US. I ALSO WOULD LIKE TO SAY TO THE COUNCIL THAT WE HAVE COMPLIED WITH EVERYTHING THAT IS PRESENTED TO US AND WE ARE STILL EXPECTING A REPLY FROM THE CITY IN REFERENCE TO OUR CAR WASH. I WOULD LIKE THE CAR WASH TO CONTINUE BECAUSE IT HELPS. IT'S SOMETHING DIFFICULT TO SEE WHAT IS GOING ON IN EAST AUSTIN BECAUSE WHEN WE TALK ABOUT GENTRIFICATION, IT INVOLVES A LOT OF CHANGE IN TERMS OF THE PHYSICAL RENOVATION OF THE AREA. BUT GENTRIFICATION -- THANK YOU.

DUNKERLEY: THANK YOU.

OKAY. GENTRIFICATION IS SOMETHING THAT WE ARE ALL FACING IN EAST AUSTIN, AS YOU KNOW, IS A PROBLEM OF DISPLACEMENT, OF LOW INCOME NEIGHBORHOODS BY RICH RESIDENTS. IT IS SOMETHING THAT YOU CANNOT STOP, BUT HOW YOU WOULD DEAL WITH THAT IS AN ISSUE THAT WE'RE ALL FACING. WE CANNOT STOP IT. THE CITY CANNOT STOP IT. NOBODY CAN STOP IT, BUT HOW WE GO ABOUT DOING THAT IS WHAT MAKES A DIFFERENCE. AND WE WOULD LIKE THE CITY TO CONSIDER THAT WE HAVE BEEN THERE FOR MANY YEARS BEFORE ANYBODY ELSE IS COMING. WE LIKE WHAT WE DO AND WE WOULD LIKE TO CONTINUE TO PROVIDE SERVICES TO THIS GREAT COMMUNITY. THANK YOU.

DUNKERLEY: NEXT SPEAKER, FIDEL ACEVEDO. PAUL HERNANDEZ?

GOOD AFTERNOON, MEMBERS OF THE COUNCIL. MY NAME IS PAUL HERNANDEZ. I SUPPORT THE NEIGHBORHOOD AND COMMUNITY ON THE VARIOUS ISSUES, ESPECIALLY THE 90-DAY MORATORIUM ON THE CONDOS AND THE LOFTS. THE NEIGHBORHOOD PLANNING PROCESS HAS BROUGHT ABOUT AN ONSLAUGHT OF REDEVELOPMENT THAT IS DISPLACING PEOPLE AND REPLACING IT WITH THOSE CONDOS AND THE LOFTS, INCLUDING A LOT OF ECONOMIC HARDSHIP FOR THE NEIGHBORHOODS, ESPECIALLY THE LOW INCOME WORKING CLASS NEIGHBORHOOD THAT EAST AUSTIN IS. ALONG WITH THAT, TO HELP ACCELERATE THIS GENTRIFICATION, WE HAVE THIS NEW EMPHASIS ON CODE ENFORCEMENT, WHICH ADDS TO THAT ECONOMIC HARDSHIP, WHICH CREATES MORE JENT GENTRIFICATION, WHICH AGAIN DISPLACES MORE PEOPLE. I VENTURE TO SAY THAT WITH THE NEXT FEW YEARS WE WILL NO LONGER BE AN EAST AUSTIN CHICANO COMMUNITY OF LOW INCOME WORKING CLASS PEOPLE. WE WILL BE REPLACED BY THE VERY SAME PEOPLE THAT HAVE BEEN DESCRIBED BEFORE, THE ONES THAT ARE AFFLUENT, THE ONES THAT WILL TAKE ADVANTAGE OF ALL THE WORK DONE BY THE NEIGHBORHOODS, THE IMPROVEMENT. ALONG WITH THAT WE HAVE THE PROMISES THAT WERE MADE TO THE COMMUNITY, TO THE NEIGHBORHOOD. THE HOLLY GOOD NEIGHBOR PLAN WAS

ORIGINALLY -- THE CONCEPT WAS THEY WERE MITIGATION FUNDS, BUT YOUR LEGAL DEPARTMENT CAME BACK AND SAID, WELL, IF WE CALL IT MITIGATION, THEN THAT ADMITS GUILT, WHICH IN OUR EYES THE CITY IS GUILTY OF POLLUTING THE PEOPLE, OF CREATING NOISE POLLUTION, OF CREATING DANGER IN THE COMMUNITY. THAT MITIGATION FUND WAS PROMISED TO THE PEOPLE IN A WAY TO MAKE UP FOR KEEPING THE HOLLY POWER PLANT OPERATIONAL TILL 2007. ORIGINALLY IT WAS MEANT TO BE CLOSED EARLIER, BUT AGAIN THE CITY WENT BACK ON ITS WORD WHO WILL, AND AT THAT POINT IT WAS DECIDED THAT 2007 WAS GOING TO BE THE DEADLINE. UNFORTUNATELY THE ORIGINAL PROMISES MADE TO THE COMMUNITY HAVE NOT BEEN KEPT. LET ME JUST FINISH WITH THIS. THAT THE PEOPLE WERE SUPPOSED TO BE GETTING A RECOGNITION OF WHAT THEY'VE SUFFERED, AND THAT WAS THE HOLLY POWER PLANT, WHICH IS CALLED THE GOOD NEIGHBOR PLAN. NOW, THE PEOPLE THAT WERE SUPPOSED TO BENEFIT HAVE NOT, AND I WANT TO THANK YOU FOR THAT EFFORT, BUT PLEASE GO BACK TO THE WAY IT WAS SO THAT THE PEOPLE CAN BENEFIT THAT WERE MEANT TO BENEFIT.

DUNKERLEY: THANK YOU. JIMMY CASTRO?

MAYOR PRO TEM? BEFORE WE GO ON, THERE WAS A FEW SPEAKERS IN A ROW THAT ALL SPOKE TO THE SAME ISSUE. I JUST WANTED TO MAKE A COUPLE COMMENTS.

DUNKERLEY: ALL RIGHT.

YOU KNOW, WITH RESPECT TO THE REQUEST ON A MORATORIUM, YOU KNOW, WE'VE MET AND DISCUSSED THE CONCERNS THAT EL CONCILIO AND YOU GUYS HAVE EXPRESSED HERE TODAY, AND WHILE, YOU KNOW, THERE'S DIFFERING OPINIONS ABOUT WHAT DEVELOPMENT IN EAST AUSTIN IS DOING TO THE COMMUNITY, I WANT TO MAKE SURE THAT WE'RE TALKING ABOUT THE SAME THING, BECAUSE I HEAR A FEW DIFFERENT THINGS. I HEAR THINGS LIKE DISPLACEMENT BECAUSE OF VERTICAL MIXED USE AND BECAUSE OF CONDO DEVELOPMENT, AND EVERY SINGLE PROJECT THAT IS RESIDENTIAL ALONG EAST SIXTH STREET RIGHT NOW WAS PREVIOUSLY LIMITED INDUSTRIAL, AND

YOU, THE NEIGHBORHOODS, CAME TO THIS BODY AND SAID, WE NEED DOWN ZONING. WE NEED RESIDENTIAL. WE NEED SOME WAY TO BRING IN RESIDENTIAL DEVELOPMENT WITHOUT DISPLACING RESIDENTS. AND THAT'S WHAT HAPPENED. THAT'S WHAT'S HAPPENING. MAY NOT BE EXACTLY THE WAY YOU WANT IT. MAY NOT BE EXACTLY WHO YOU WANT, BUT NOT ONE SINGLE RESIDENT HAS BEEN DISPLACED BECAUSE OF THAT DEVELOPMENT. AND SO WITH THAT IN MIND THAT'S WHY I CHOOSE NOT TO SUPPORT A MORATORIUM ON CONDOMINIUM DEVELOPMENT IN EAST AUSTIN RIGHT NOW BECAUSE I DON'T SEE IT DISPLACING RESIDENTS. I SEE IT BRINGING IN ECONOMIC DEVELOPMENT AND RESIDENTS AND TAX BASE AND INFRASTRUCTURE TO AN AREA THAT WAS ONCE RESIDENTIAL MIXED WITH INDUSTRIAL, WHICH IS WHAT WE DON'T WANT IN EAST AUSTIN, AND IT'S WHAT WE DIDN'T WANT. SO I WANT TO MAKE THOSE DISTINCTIONS VERY CLEAR AS TO WHY I DON'T SUPPORT THE MORATORIUM. IF WE HAVE A MISSION AND A SPECIFIC GOAL AS TO HOW WE WANT TO CHANGE AND EVOLVE THE DEVELOPMENT IN THE FUTURE, I'M OPEN TO THAT DISCUSSION, BUT A MORATORIUM FOR THE SAKE OF SAYING NO MORE CONDOS IN EAST AUSTIN I DON'T THINK SERVES THIS COMMUNITY AND SERVES EAST AUSTIN VERY WELL. I THINK THE OPPORTUNITY WILL PASS US BY. IF WE PUT A WALL UP ON I-35 AND SAY DON'T COME EAST, THEY WON'T. THEY'LL GO SOUTH, THEY'LL GO NORTH, AND WE'LL BE STANDING OVER THERE IN EAST AUSTIN GOING, WHAT HAPPENED TO US? WHAT HAPPENED TO REDEVELOPING THE SALTILLO CAR DER? WHAT HAPPENED TO REDEVELOPING ALONG EAST MLK? AND I DON'T WANT YOU TO BE IN THAT POSITION TEN YEARS FROM NOW, FIVE YEARS FROM NOW. AS FAR AS CODE ENFORCEMENT GOES, WE'VE MET SEVERAL TIMES AND WE'VE TALKED ABOUT CODE ENFORCEMENT, AND SPECIFICALLY TO ONE CASE THAT WAS MENTIONED HERE, WE HAVE MET WITH YOU GUYS MULTIPLE TIMES ON THIS ISSUE, AND THE MOST RECENT DEVELOPMENT IS THAT THE CODE VIOLATION OF PARKING SOMETHING IN YOUR FRONT YARD WAS EXTENDED THROUGH THE END OF MAY, AND THE COMPLAINT WAS FILED SEVERAL MONTHS AGO. I'M COMPLETELY OPEN TO WORKING WITH YOU GUYS AND EDUCATING THE COMMUNITY ABOUT THE CODE ISSUES, BUT IT SEEMS A LITTLE BIT CONTRADICTIONARY THAT NOW THAT

THE COMPLAINTS HAVE REVERSED AND CERTAIN MEMBERS OF THE COMMUNITY ARE FACED WITH CODE VIOLATIONS, ALL OF A SUDDEN WE REQUEST TIME AND UNDERSTANDING AND POSSIBLY EVEN AMENDING THE CODE. BUT WHEN IT WAS THE OTHER WAY AROUND AND THE CODE COMPLAINTS WERE GOING IN THE OTHER DIRECTION, WE WEREN'T WORKING FAST ENOUGH TO GET PEOPLE TO COMPLY. WE WEREN'T SENDING FOLKS OUT THERE ENOUGH TO SHUT THEM DOWN. SO I WANT US TO MAKE SURE WE KEEP IN MIND THAT SOMETIMES WHAT HAPPENS IS YOU TURN ATTENTION TO AREAS THAT YOU REALLY DIDN'T WANT IT TO BE TURNED TOWARDS. WHEN WE START COMPLAINING ABOUT OTHER FOLKS BECAUSE OUR CODE IS BASED ON COMPLAINTS, WHAT'S GOING TO HAPPEN IS THE PEOPLE YOU COMPLAIN AGAINST, THEY'RE GOING TO LEARN THE CODE AND THEY'RE GOING TO START COMPLAINING AGAINST YOU, AND THEN WE HAVE TO GO OUT THERE AND ENFORCE THOSE COMPLAINTS IF WE FIND VIOLATIONS. WE ARE WORKING WITH EVERYONE WHO HAS REQUESTED THIS HELP, AND I WOULD LOVE TO SET SOMETHING UP TO MEET WITH YOU GUYS OUT IN THE COMMUNITY AND TRY TO EXPLAIN THE CODE, TRY TO EXPLAIN HOW IT IS COMPLAINT DRIVEN AND WHAT WE CAN DO TO MITIGATE SOME OF THIS, BUT I WANT US TO BE AWARE THAT THE CODE IS NOT A ONE-WAY STREET. YOU KNOW, WE ALL HAVE TO COMPLY WITH THE ORDINANCES AND CODES THAT THIS COUNCIL HAS ADOPTED, AND IF THERE IS SOME WAY THAT WE CAN AMEND THE CODES TO BE MORE NEIGHBORHOOD FRIENDLY, THEN I'M WILLING TO EXPLORE THAT. SO I WANTED TO THANK YOU GUYS FOR COMING DOWN AND SHARING YOUR CONCERNS WITH US AND I WILL CONTINUE TO WORK WITH YOU HOWEVER I CAN. THANKS, MAYOR PRO PRO TEM DUNKERLEY DUNK THANK YOU VERY MUCH, COUNCIL MEMBER.

GOOD AFTERNOON, MAYOR PRO TEM, DUNKERLEY, COUNCIL MEMBERS AND MS. FUTRELL. I HAVE SLIDES TO SHOW YOU. THIS FIRST SLIDE SHOW I'D LIKE TO REMIND EVERYONE OF THIS YEAR'S CHILDREN'S MIRACLE NETWORK, TO BENEFIT THE CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS, SATURDAY AND SUNDAY JUNE 2 AND 3. ALL MONEY RAISED FROM THE CENTRAL TEXAS AREA DURING THE CELEBRATION WILL BE EARMARKED FOR THE DELL

CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS. THE DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS WILL BE THE ONLY DEDICATED PEDIATRIC MEDICAL FACILITY SERVING A 46 COUNTY REGION, OFFERING WORLD CLASS SPECIALTY CARE FOR FAMILIES OF CENTRAL TEXAS. THE AUSTIN PEDIATRIC MEDICAL EDUCATION IS A RESIDENCY PROGRAM THAT OFFERS A WELL BALANCED ROUNDED TRAINING EXPERIENCE FOR THE FINEST MEDICAL SCHOOL GRADUATES. THE PEDIATRICIANS OF TOMORROW, MEDICAL STUDENTS AND RESIDENTS, PLAY AN IMPORTANT ROLE IN CARING FOR CHILDREN. SOME OF THE DEPARTMENTS AND PROGRAMS AT THE DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS WILL INCLUDE THE CHILD LIFE DEPARTMENT, THE SPECIALTY CARE CENTER, THE CHILDREN'S ASTHMA PROGRAM, THE JUVENILE DIABETES TEAM, THE CHILDREN'S THERAPY GYM, THE CHILDREN'S EMERGENCY CENTER, THE CHILDREN'S EMERGENCY CENTER AT THE CHILDREN'S MEDICAL CENTER CENTRAL TEXAS WILL BE ONE OF ONLY FIVE DEDZ INDICATED PEDIATRIC ER'S IN CENTRAL TEXAS AND THE ONLY ONE IN CENTRAL TEXAS. THE PEDIATRIC INTENSIVE CARE UNIT WILL BE STAFFED 24 HOURS A DAY BY A SPECIALLY TRAINED MEDICAL TEAM. THE CHILDHOOD CANCER AND BLOOD DISORDER CENTER, THE CHILDREN'S MEDICAL CENTER FOUNDATION OF CENTRAL TEXAS. THE NEONATAL INTENSIVE CARE UNIT PROVIDES THE MOST COMPREHENSIVE CARE IN THE STAY WITH NEWBORNS WITH MEDICAL PROBLEMS. THE DELL CENTER CREATES ON-SITE PLACE FOR RADIOLOGY AND ULTRASOUND CAPABILITIES. THE EXPANDED CHILDREN'S SURGERY CENTER WILL BE THE ONLY ONE IN CENTRAL TEXAS DEDICATED SPECIFICALLY TO CHILDREN. THE PEDIATRIC CRITICAL CARE TRANSPORT TEAM WILL BE AVAILABLE ON A 24/7 TO SERVE THE NEEDS OF THE CENTRAL TEXAS AREA. THE DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS REGIONAL HEART PROGRAM WILL CONTINUE ALONG ITS DISTINGUISHED HISTORY OF SERVICE FOR PARENTS PATIENTS THROUGHOUT THE STATE AND THE WORLD. FINALLY WHAT WILL MAKE THE DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS DIFFERENT IS PEOPLE, PEOPLE WHO CAN LEAVE WORK EACH DAY KNOWING THEY HAVE MADE THE DIFFERENCE IN THE LIFE OF A CHILD. THANK YOU, MAYOR

PRO TEM DUNKERLEY.

GLORIA MORENO? CAROLANNEROSE KENNEDY?

WELCOME BACK, COUNCIL. THANK YOU FOR HAVING ME. THE GRAD YOU ATE IS GOING TO HAVE TO WAIT. I THINK IT'S MORE APPROPRIATE AT THIS TIME IN SPACE TO DO THE INTERNATIONAL ANTHEM. OH, SAY, CAN YOU SEE. [ (music) SINGING (music) ] AS THE BORDER AT NIGHT. I'M SORRY. [ (music) SINGING (music) ] WE'RE NOT TRYING TO KEEP YOU- ALL OUT, WE'RE JUST CONTAINING OUR PRIDE. JOSE, WE LOVE YOU AND YOUR KIDS AND YOUR MAMA WHO'S HID, IN A COUNTRY THAT'S FOREIGN JUST LOOK WHAT WE DID. SO I'M LEARNING HE IS PAN ESPANOL BUT IT'S TAKING A TOLL ON MY TAX BILL AND MORTGAGE BUT I CAN STILL SAY LET'S ROLL. AND THE TEMPERS THEY FLARE, BUT YOU YOU'RE DOING YOUR SHARE, BECAUSE THERE'S PROOF DAY AND NIGHT THAT YOUR FLAG IS STILL HERE. OH, SAY, DID YOUR FREEDOM TURN INTO A CRAVE -- OH SHAY, CAPITAL O, APOSTROPHE, CAPITAL SEA. O' SEA, DID YOUR FREEDOM TURN INTO A GRAVE. IN THE LAND OF DEBRIS, AND THE HOME OF OUR GRAVE. PLAY BALL.

DUNKERLEY: THANK YOU. IF NONE OF THE SPEAKERS HAVE ARRIVED, THAT'S ALL OF THOSE WHO HAVE SIGNED UP TODAY FOR CITIZEN COMMUNICATION.

MAYOR PRO TEM, I THINK, IF I'M READING THIS CORRECTLY, CINDY FISHER HAS SIGNED UP.

DUNKERLEY: OH, I'M SORRY, CINDY, IF I MISSED YOU. COME DOWN TO THE -- CINDY FISHER.

I'M NOT CINDY FISHER, BUT I THINK SHE'S GOING TO DONATE HER TIME TO ME.

YES.

DUNKERLEY: OKAY.

MAYOR PRO TEM, COUNCIL MEMBERS, MY NAME IS DOUG YOUNG. I REPRESENT RESPONSIBLE GROWTH FOR NORTH AUSTIN. HERE TO TALK ABOUT THE WAL-MART AGAIN AND

I'LL THANK YOU AGAIN FOR YOUR ENDURANCE ON THIS ISSUE. YOU'RE AWARE THAT RESPONSIBLE GROWTH HAS BEEN AMONG THE GROUPS THAT HAVE POINTED OUT THE PROBLEMS WITH THE NOTICE IN THE ORIGINAL SITE PLAN APPLICATION AND [INAUDIBLE] TRAFFIC STUDIES WERE DONE. WE'VE KIND OF BEEN PLAYING CATCH UP SINCE AROUND DECEMBER WHEN WE FIRST FOUND OUT ABOUT THE APPLICATION THAT HAD BEEN APPROVED. PLAYING CATCH UP ON A NUMBER OF ISSUES TO EVALUATE HOW WRONG THIS IS, THE SUPER CENTER IN THE MIDDLE OF RESIDENTIAL NEIGHBORHOODS, INADEQUATE STREETS AND RIGHT NEXT TO SHOALSHOAL CREEK. BUT I'M HERE TODAY TO TALK ABOUT ANOTHER ISSUE THAT I DON'T THINK WE'VE BROUGHT UP BEFORE, AND I'VE SPOKEN TO MR. SMITH ABOUT THIS. THERE IS A CURRENT PLAT REGULATION THAT I'LL QUOTE TO YOU NOW FROM THE RELEVANT PART THAT PROVIDES -- AND THIS APPLIES TO THE WAL-MART PROPERTY. "PRIOR TO FUTURE SCRUX DRAINAGE PLANS WILL BE SUBMITTED, RAINFALL RUNOFF SHALL BE HELD TO THE AMOUNT EXISTING IN UNDEVELOPED STATUS BY USE OF PONDING OR OTHER APPROVED METHODS. THIS IS A PLAT NOTICE, AS FAR AS I CAN TELL, FIRST SHOWED UP IN 1978. IT WAS INCORPORATED INTO A RESUBDIVISION THAT OCCURRED IN 2004. THE 2004 PLAT, TO BE FAIR, DOES REFER TO DRAINAGE TO A REGIONAL DETENTION FACILITY BUT IT INCORPORATES THAT PLAT. NOW, IT SAYS THERE WILL BE NO RUNOFF THAT EXCEEDS PREDEVELOPMENT STATUS. I DON'T KNOW THE CIRCUMSTANCE OF THE 1978 SUBDIVISION. I KNOW THE MALL WAS BUILT IN 1975. I HAVE NOT BEEN ABLE TO TRACK DOWN WHAT WAS BEING DONE IN 1978 THAT RESULTED IN THAT PLAT NOTE. CIRCUMSTANCES UNKNOWN TO ME RIGHT NOW. HERE'S WHAT I DO KNOW FROM LOOKING AT THE PLAN REVIEW NOTES ON THE WEB SITE THAT ARE AVAILABLE TO EVERYONE. IT DOES NOT APPEAR THAT THE CITY HAS DONE ANY EVALUATION OF WHAT THE RUNOFF WAS FROM THE PROPERTY AT UNDEVELOPED STATUS OR TO DETERMINE WHETHER THE PROPOSED SUPER CENTER WILL NOT EXCEED RUNOFF FROM UNDEVELOPED STATUS. IT'S FAIRLY LIKELY THAT THE RUNOFF WILL EXCEED THAT. IT'S HARD TO BELIEVE THAT YOU'RE NOT GOING TO GET MORE RUNOFF FROM ALL THOSE PARKING LOTS AND BUILDINGS THAN YOU WOULD OFF A

PIECE OF DIRT THAT HASN'T BEEN DEVELOPED. WE DO KNOW FROM THE PLANS THAT RUNOFF IS DIRECTED INTO STORM SEWERS. IT APPEARS FROM THE PLAN THAT IN THE EVENT OF A HUNDRED YEAR FLOOD RUNOFF WILL GO ON THE NORTHCROSS DRIVE, FLOOD THAT STREET. I HAVE COPIES OF THOSE PLATS, I KNOW YOU'VE PROBABLY GOT PLENTY OF PAPERWORK. I'LL JUST -- I'VE LEAVE THEM OVER HERE. THEY'RE THERE FOR YOU. WE'RE ASKING THAT IF APPROVAL IS IMMINENT, I THINK THIS ISSUE NEEDS TO BE CONSIDERED. WE THINK THE PLAT NOTE IS ENFORCEABLE. IN FACT, WITHIN THE LAST THREE YEARS THE CITY HAS HAD LITIGATION WHERE THE COURT HAD LITIGATION WHERE THE PLAT --

THANK YOU. THIS WILL BE ONE OF THE ITEMS THAT WE ARE ON OUR EXECUTIVE SESSION TODAY. SO AT THIS TIME, IF I HAVEN'T SKIPPED ANY OTHER SPEAKERS, I'D LIKE TO ANNOUNCE THAT THE COUNCIL WILL RETURN TO EXECUTIVE SESSION FOR PRIVATE CONSULTATION WITH OUR ATTORNEYS UNDER SECTION 551.071 TO DISCUSS THE FOLLOWING AGENDA ITEMS. NO. 5, 7, 29, 37, 39 AND 66. SO IF THERE'S NO OBJECTION, WE'LL BE GOING BACK INTO EXECUTIVE SESSION AT THIS TIME. BEING NO OBJECTION THE COUNCIL WILL NOW GO INTO EXECUTIVE SESSION.

MAYOR WYNN: THERE BEING A QUORUM PRESENT AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. WE'VE BEEN IN RECESS NOW SINCE APPROXIMATELY 2:30 P.M. OR SO. WE HAVE A COUPLE OF ITEMS THAT WE CAN TAKE UP AS A CITY COUNCIL BEFORE WE QUICKLY GO TO AUSTIN HOUSE THANKING AND FINANCE CORPORATION AND THEN TAKE UP 4:00 ZONING CASES, AND I'LL WELCOME A PRESENTATION FROM MS. MARTY TERRY.

COUNCIL, MARTHA TERRY ASSISTANT CITY TOWN, AGENDA ITEMS 5 AND 7. STAFF IS REQUESTING THAT THESE BE POSTPONED TO A DATE CERTAIN TO JUNE 21.

MAYOR WYNN: THANK YOU, MS. TERRY. SO COUNCIL TOOK THESE TWO -- GOT SOME LEGAL CONSULTATION ON THESE TWO ITEMS IN EXECUTIVE SESSION EARLIER. SO ENTERTAIN THAT COUNCIL. MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECONDED BY MCCRACKEN, TO POSTPONE

ITEMS 5 AND 7 TO JUNE 21, 2007. FURTHER COMMENTS?  
HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH  
COUNCIL MEMBER COLE OFF THE DAIS.

THANK YOU.

MAYOR WYNN: THANK YOU. AND COUNCIL, I BELIEVE WE CAN  
QUICKLY TAKE UP ITEM NO. 29 AND 66, IF STAFF IS  
PREPARED FOR A PRESENTATION. IF NO, SIR WE COULD GO  
TO HFHFC. AT THIS TIME WITHOUT OBJECTION WE'LL  
RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND  
CALL TO ORDER THIS MEETING OF THE AUSTIN HOUSING  
FINANCE CORPORATION. WE HAD POSTED FOR A THREE  
ITEM AGENDA FOR THAT GOVERNMENTAL BOARD MEETING  
AND WELCOME, MR. PAUL HILGERS.

I'LL BE BRIEF. I AM PAUL HILGERS WITH THE AUSTIN  
HOUSING FINANCE CORPORATION AGENDA AND WE DO  
HAVE A BRIEF AGENDA BEFORE YOU TODAY. ITEM NO. 1 IS  
TO APPROVE THE MINUTES OF THE APRIL 19, 2007 BOARD  
MEETING OF THE HOUSING FINANCE CORPORATION.

MAYOR WYNN: THANK YOU. I'LL ENTERTAIN THAT MOTION.  
MOTION MADE BY BOARD MEMBER MARTINEZ, SECONDED BY  
LEFFINGWELL, TO APPROVE THE ITEM NO. 1, THE MINUTES  
OF THE MINUTE AS POSTED. FURTHER COMMENTS?  
HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES AGAIN ON A  
VOTE OF 6-0 WITH BOARD MEMBER COLE OFF THE DAIS.

THANK YOU, HFC ITEM NO. 2 IS TO APPROVE AN  
INDUCEMENT RESOLUTION TO FINANCE THE ACQUISITION  
AND REHABILITATION OF A MULTIFAMILY HOUSING PROJECT  
KNOWN AS RUNNING MEADE APARTMENTS LOCATED AT 1101  
RUTLAND ROAD, AUSTIN, TEXAS TO BE OWNED AND  
OPERATED BY A SINGLE PURPOSE TEXAS LIMITED

PARTNERSHIP, AFFILIATED WITH SAN ANTONIO ALTERNATIVE HOUSING CORPORATION, A TEXAS WORK FORCE HOUSING NONPROFIT DEVELOPER, IN AN AMOUNT NOT TO EXCEED \$12 MILLION AND TO AUTHORIZE THE CORPORATION TO SUBMIT AN APPLICATION TO THE TEXAS BOND REVIEW BOARD FOR AN ALLOCATION OF PRIVATE ACTIVITY VOLUME CAP MULTIFAMILY NONRECOURSE BONDS FOR THE PROJECT. IF APPROVED, AND AGAIN, THIS IS THE FIRST STEP IN A BOND PROCESS, WHICH IS THE INDUCEMENT RESOLUTION THAT'S REQUIRED, BUT IF APPROVED, THE ACTIONS THAT WE'RE TAKING COULD PRESERVE A TOTAL OF 451 AFFORDABLE UNITS OF RENTAL HOUSING IN AUSTIN THROUGH THIS MULTIFAMILY BOND PROGRAM. THE PROPERTY OWNER, SAN ANTONIO ALTERNATIVE HOUSING CORPORATION OWNS AND MANAGES MORE THAN 4100 RENTAL UNITS IN TEXAS. SO THIS FIRST ACTION, REQUEST THE BOARD OF DIRECTORS TO APPROVE AN INDUCEMENT RESOLUTION WHICH WILL PERMIT THE STAFF TO SUBMIT THE APPLICATION TO THE TEXAS BOND REVIEW BOARD FOR PRIVATE ACTIVITY VOLUME CAP FOR MULTIFAMILY BOND AUTHORITY. AND SO AFTER TODAY'S ACTION WE WOULD RETURN TO THE BOARD OF DIRECTORS TWO MORE TIMES IN THAT HOUSING BOND REVIEW PROCESS, FIRST TO CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON THE ISSUE TO THE BOND AND THE PROJECT, AND THEN TO SEEK FINAL APPROVAL ON THE TERMS AND SALES OF THE BOND. SO AGAIN, THIS IS JUST AN INDUCEMENT RESOLUTION AND WE'RE RECOMMENDING IT FOR YOUR APPROVAL TODAY.

MAYOR WYNN: THANK YOU, MR. HILGERS. QUESTIONS OF STAFF, BOARD? COMMENTS? IF NOT I'LL ENTERTAIN A MOTION REGARDING ITEM NO. 2. MOTION MADE BY THE VICE PRESIDENT, SECONDED BILLBOARD MEMBER MARTINEZ TO APPROVED ITEM NO. 2 AS PRESENTED BY THE HOUSING STAFF. FURTHER COMMENTS? HEARING NONE ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0. AGAIN WITH BOARD MEMBER COAL OFF THE DAIS.

HFC ITEM NO. 3 IS STAFF IS REQUESTING DIRECTORS

APPROVAL RESOLUTION THAT AUTHORIZE THE ISSUANCE OF AUSTIN HOUSING FINANCE CORPORATION 05 C 3 MULTIFAMILY HOUSING TAX EXEMPT REVENUE BONDS, SERIES 2007 A IN THE AMOUNT OF, AND I HAVE TO READ THESE INTO THE RECORD TO BE CAREFUL HERE, SO IT'S \$9,150,000 WITH AN INTEREST RATE OF 5.565% PER ANNUM IN SERIES TAX -- IN SERIES 2007 BE TAXABLE BONDS IN THE AMOUNT OF 458,000, WITH AN INTEREST RATE OF 6.29%, APPROVE THE EXECUTION OF TRUST INDENTURE, A LOAN AGREEMENT, A REGULATORY AGREEMENT AND OTHER DOCUMENTS REQUIRED TO PROVIDE PERMANENT FINANCING OF THE MEADOW WOOD AMENTS APARTMENTS AT 9601 MIDDLE FISKVILLE ROAD TO BE OWNED AND OPERATED BY A TEXAS NONPROFIT CORPORATION AFFILIATED WITH THE SAN ANTONIO ALTERNATIVE HOUSING CORPORATION. THE FINAL RESOLUTION YOU'RE BEING ASKED TO APPROVE IS AN AMENDED -- AND YOU HAVE IN FRONT OF YOU, REFLECTS THESE TERMS, AND THEY'LL BE INCORPORATED INTO THE FORM OF BOND DOCUMENTS ATTACHED TO THE NEW RESOLUTION. WE HAVE HAD HISTORY WITH THE SAN ANTONIO -- A POSITIVE HISTORY WITH THE SAN ANTONIO ALTERNATIVE HOUSING PROJECT AT RUT LAND PLACE APARTMENTS ON RUT LAND DRIVE AND STONEY CREEK PROJECT. AND SOME OTHERS. BONTSSES BONDS ARE REPAYABLE BY THE RENTS FROM THE COMPLEX AND THE GOOD FAITH AND CREDIT OF HFC IS NOT PLEDGED TO RETIRE THE BONDS. AFFORDABILITY FOR THE BONDS IS 20 YEARS OR AS LONG AS THE BONDS ARE OUTSTANDING, WHICHEVER IS LONGER. THE APARTMENTS CONSIST OF 200 UNITS WHEN RENT RANGING FROM 619 TO \$749. 20% OF THE UNITS ARE RESERVED FOR FAMILIES MAKING 60% OR LESS THAN OF MEDIAN INCOME. THE RENTS ON THE SET ASIDE UNITS ARE TO BE AFFORDABLE WHICH MEAN THEY MAY NOT EXCEED MORE THAN 30% OF THE GROSS MONTHLY INCOME. 70% ARE RESERVED FOR FAMILIES AT 80% BELOW THE MEDIAN FAMILY INCOME AND 10% ARE UNRESTRICTED SO IT'S A MIX INCOME PROPERTY. AND WITH THAT, COUNCIL, THE APPLICANT IS HERE, IF YOU-ALL HAVE ANY ISSUES, AND I'VE GOT ONE OTHER THING --

YOU SAID 6.295?

YEAH, I DID.

IT'S --

OH, I'M DYSLEXIC. WITH AN INTEREST RATE OF 6.925 ON THE SERIES B TAXABLE BONDS. I'M SORRY, I READ THAT WRONG. 6.925 IS THE INTEREST RATE ON THE TAXABLE BONDS. SO IF THERE ARE ANY QUESTIONS, WE'RE RECOMMENDING THAT FOR APPROVAL AS WELL.

MAYOR WYNN: THANK YOU, MR. HILGERS. QUESTIONS OF STAFF? BOARD? EXCUSE ME. COMMENTS? AGAIN, WE HAVE NOBODY SIGNED UP TO SPEAK ON THIS ITEM AS FAR AS MY NOTES SHOW. COMMENTS, QUESTIONS? IF NOT I'LL ENTERTAIN A MOTION ON THIS POSTED ITEM NO. 3. MOTION MADE BY BOARD MEMBER MCCRACKEN, SECONDED BY BOARD MEMBER MARTINEZ TO APPROVE HFC ITEM NO. 3 AS PRESENTED BY STAFF. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH BOARD MEMBER COAL OFF THE DAIS.

THAT'S ALL OF BUSINESS BEFORE THE FINANCE CORPORATION TODAY. THANK YOU.

MAYOR WYNN: THANK YOU. AT THIS TIME I'LL ADJOURN THIS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION AND CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL AND WE HAVE TWO QUICK ACTION ITEMS, I BELIEVE WE CAN TAKE IT UP BEFORE WE GO TO OUR ZONING. THE FIRST WILL BE ITEM NO. 29 RELATED TO A CONTRACT WITH TEXAS DISPOSAL SYSTEMS, I'D APPRECIATE A QUICK STAFF PRESENTATION.

BUY ONE JOHNSON THE PURCHASING OFFICER. THE ITEM BEFORE YOU IS A CONTRACT WITH TEXAS DISPOSAL SYSTEMS TO DO RESIDENTIAL DUMPSTER REFUGE IN BULKY COLLECTION AS FAR ASS AND SOLID WASTE IS HERE IF YOU HAVE ANY QUESTIONS. STAFF RECOMMENDS APPROVAL.

THANK YOU, MR. JOHNSON. QUESTIONS OF STAFF?  
COUNCIL? COMMENTS? MR. ROADS?

COUPLE OF JUST QUICK QUESTIONS. SO JUST TO CONFIRM,  
THIS DOESN'T RELATE TO OUR -- OUR SINGLE-FAMILY  
RESIDENTIAL PROGRAM, THE MOST -- THAT MOST FOLKS  
ARE AWARE. THIS IS EITHER OUR COMMERCIAL PROGRAM  
OR OUR MULTIFAMILY PROGRAM, CORRECT?

NO, IT DOES RELATE TO THE SINGLE-FAMILY RESIDENCE  
PROGRAM. A LITTLE HISTORY HERE, MAYOR. SEVERAL  
YEARS AGO WE STARTED RECEIVING COMPLAINTS FROM  
THE DUPLEXES AND FOUR SEXES THAT WE PROVIDE  
SERVICES TO. THE COMPLAINT WAS THE ISSUE OF  
EXCESSIVE GARBAGE OUT THERE AFTER TRASH DATE. THE  
GARBAGE CONSISTED OF BULKY ITEMS, LITTER AND  
GENERAL WASTE THAT WAS OUT THERE ON THE GROUND.  
WE TRIED A PROGRAM BY EDUCATING THE COMMUNITIES  
THAT WE HAD COMPLAINTS IN. WE TRIED GIVING THEM  
ADDITIONAL LARGER SIZE CARTS. NONE OF THE EFFORTS  
THAT WE HAD WORKED. WE THEN TOOK A LOOK AT ADDING  
DUMPSTERS AT THE FACILITIES. WE DIDN'T -- STARTED  
PUTTING IN DUMPSTER THERE. THEY SEEMED TO CORRECT  
THE PROBLEM. EACH TIME WE HAD A CONTRACT FOR THE  
DUMPSTERS IN THERE WE ADDED ON TYPE OF SERVICE FOR  
THE COLLECTION OF GARBAGE IN THOSE AREAS. SO TODAY  
WE HAVE A CONTRACT HERE THAT WE BROUGHT FORWARD  
WITH YOU FOR TDS TO PROVIDE THE DUMPSTER SERVICE  
TO 1012 PLEXUS AROUND THE CITY OF AUSTIN.

MAYOR WYNN: THANK YOU, MR. ROADS, AND AGAIN, SO THE  
-- WITH THIS -- OBVIOUSLY WITH THIS SINGLE SOURCE  
CONTRACT HERE, IF THAT'S THE RIGHT TERM, THIS REFUSE  
WILL GO TO THE TDS LANDFILL DOWN IN SOUTHEAST TRAVIS  
COUNTY?

THAT'S CORRECT.

MAYOR WYNN: WHICH WE ALREADY HAVE AN ONGOING  
RELATIONSHIP WITH AND LONG-TERM MULTI-DECADE  
CONTRACT WITH ON A SIGNIFICANT PORTION OF THE SOLID  
WASTE IN THIS CITY, CORRECT?

CORRECT, WE HAVE A 30-YEAR CONTRACT WITH TDS THAT MY RESIDENTIAL WASTE CAN BE BURIED THERE, AND WE'RE -- WE HAVE 24 YEARS REMAINING ON THE CONTRACT.

MAYOR WYNN: ALL RIGHT. QUESTIONS FOR MR. RHODES, COUNCIL? CAN WE HAVE A HAND -- WE HAVE A HANDFUL OF CITIZENS WHO WOULD LIKE TO ADDRESS US ON THIS ITEM. BUT QUESTIONS FIRST OF STAFF? IF NOT WE'LL TAKE UP SOME COMMENTS. HOPE FOLKS ARE STILL HERE. APOLOGIZE FOR THE DELAY ON THIS ITEM. LET'S SEE, OUR FIRST SIGNED UP SPEAKER WAS STEVE SHANNON. IS MR. SHANNON HERE? WELCOME, STEVE. AND BY CHANCE IS KEITH CONRAD WITH US?

AND MR. DUGUS HAD TO LEAVE.

I'M SORRY FOR THAT. WELCOME, MR. SHANNON. UP TO THREE MINUTES.

YES, SIR. THANK YOU. MAYOR, MEMBERS OF THE COUNCIL, MY NAME IS STEVE SHANNON WITH ALLIED WASTE SERVICES. WE IMPLORE THE COUNCIL NOT TO AWARD THIS CONTRACT IDENTIFIED IN ITEM NO. 29. OUR ISSUE IS NOT WITH TEXAS DISPOSAL SYSTEMS. WE HAVE HIGH REGARD FOR THEM AS A COMPETITOR AND A FACILITY OPERATOR. RATHER OUR ISSUE IS THE AWARD OF A \$1.3 MILLION CONTRACT WITHOUT BIDDING. WE NOTIFIED THE PURCHASING DEPARTMENT FIVE MONTHS AGO OF OUR WILLINGNESS TO BID. WE HAVE RECEIVED NO WORD. WE HAVE FILED A FORMAL PROTEST. WE HAVE RECEIVED NO WORD. THE SOLID WASTE ADVISORY COMMISSION HAS PASSED A UNANIMOUS RESOLUTION RECOMMENDING THAT THIS NOT BE AWARDED AND BE PUT OUT FOR BID. THE BACKGROUND LETTER YOU RECEIVED FROM THE ASSISTANT CITY MANAGER ASSERTS THAT WE DO NOT OPERATE OUR LANDFILL IN ACCORDANCE WITH THE BEST ENVIRONMENTAL PRACTICES AND WE TAKE EXCEPTION TO THAT ASSERTION. THE FACT IS THAT OUR LANDFILL IS FULLY TCEQ COMPLIANT. WE INCORPORATE SYNTHETIC LINERS, UNLIKE THE OTHER LANDFILL AT ISSUE. WE ARE THE ONLY LANDFILL IN TRAVIS COUNTY THAT CAPTURES THE GAS, UNLIKE THE OTHERS THAT VENT IT TO THE ATMOSPHERE, AND WE, IN FACT, TAKE THAT GAS AND PRODUCE ELECTRICITY FOR 3,000 HOMES IN

THE AREA. IF IT IS THE WILL OF THE CITY THAT THE TONNAGE BE DISPOSED OF IN THE TDS LANDFILL, THEN SO BE IT, BUT THIS IS NOT ABOUT DISPOSAL. IT IS A COLLECTION CONTRACT. WE HAVE SERVICED THIS CONTRACT FOR MORE THAN THREE YEARS AND HAVE RECEIVED NOTHING BUT PRAISE FROM THE SOLID WASTE SERVICES DEPARTMENT FOR OUR PERFORMANCE. WE HELD OVER FOR AN ADDITIONAL 120 DAYS AT THE REQUEST OF THE CITY WHILE THEY RESOLICITED. IT HAS BEEN BID OUT THREE TIMES PREVIOUSLY. THE BACKGROUND LETTER THAT YOU RECEIVED FROM THE ASSISTANT CITY MANAGER INDICATES THAT IT'S A 7.35% INCREASE TO THE USERS, BUT THE FACT IS IT'S A 48% PER UNIT INCREASE TO THE CITY OVER OUR CURRENT RATE. THAT MAY BE A GOOD NUMBER, BUT NOBODY WILL KNOW THAT UNLESS IT'S BID. THERE IS NO EMERGENCY, FROM OUR VIEW. WE HAVE STATED IN WRITING TO THE CITY THAT WE ARE MORE THAN WILLING TO HOLD OVER FOR ANOTHER 90 DAYS WHILE THIS CONTRACT IS BID OUT. THANK YOU FOR YOUR TIME, CONSIDERATION. I'LL BE GLAD TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

MAYOR WYNN: THANK YOU, MR. SHANNON. QUESTIONS FOR MR. SHANNON, COUNCIL? COMMENTS? THANK YOU.

THANK YOU, SIR.

MAYOR WYNN: THANK YOU. LET'S SEE, OUR NEXT SPEAKER, I GUESS BRAD DUGAS COULDN'T STAY WITH US. HE HAD SIGNED UP TO SPEAK IN OPPOSITION. BOB GREGORY HAD SIGNED UP WISHING TO SPEAK. HAVEN'T SEEN MR. GREGORY. AND LET'S SEE, DENNIS HOBBS AS WELL. WELCOME, MR. HOBBS. AND RYAN HOBBS IS HERE TO ANSWER QUESTIONS IF NEED BE.

MAYOR, COUNCIL MEMBERS, MY NAME IS DENNIS HOBBS WITH TEXAS DISPOSAL SYSTEMS. WE WERE CONTACTED BY SOLID WASTE SERVICES TO ENTER INTO DISCUSSIONS AND NEGOTIATIONS ON THIS CONTRACT. WE DID THIS OVER A REPEATED PERIOD OF MONTHS, CAME TO AN ACCEPTABLE PROPOSAL. WE DO UNDERSTAND THE DECISION OF THE SOLID WASTE ADVISORY COMMISSION. WE RESPECT THAT POSITION AS WELL AS ANY DIFFERENT POSITION THE COUNCIL MAY TATTOOED. WE ARE PREPARED TO MOVE

FORWARD WITH THIS PROPOSAL, AND IF THE COUNCIL WANTS TO TAKE A DIFFERENT DIRECTION WE'LL CERTAINLY MOVE WITH THAT. I APPRECIATE YOUR TIME. I'LL ANSWER ANY QUESTIONS SHOULD THERE BE ANY.

MAYOR WYNN: THANK YOU, MR. HOBBS. QUESTIONS FOR MR. HOBBS? COUNCIL? COMMENTS?

THANK YOU.

MAYOR WYNN: THANK YOU, SIR. SO COUNCIL, THAT'S ALL OF OUR FOLKS WHO SIGNED UP WANTING TO SPEAK ON THIS ITEM. IF MR. RHODES OR -- ACTUALLY PERHAPS A LEGAL QUESTION FIRST, JUST TO CONFIRM PUBLICLY, IT HAS BEEN OUR PRACTICE, IT SEEMS TO ME, IN THE PAST THAT WE HAVE BID OUT VIRTUALLY ALL OF OUR LARGE-SCALE SOLID WASTE POTENTIAL CONTRACTS. IN THIS CASE WE'RE NOT. I MEAN, IT RAISES THE QUESTION, FIRST AND FOREMOST, IS THAT LEGALLY ACCEPTABLE NOT TO BID THIS OUT? AND IF IT'S COMPLIMENTED, I SUPPOSE, BY SOME LOGISTIC I AL REASONS.

CITY OF AUSTIN LAW DEPARTMENT. STATE LAW IS VERY CLEAR THAT A MUNICIPALITY IS NOT REQUIRED TO BID OUT A SOLID WASTE CONTRACT. THE ONLY CASE LAW IN POINT SPECIFICALLY SAYS THAT. IT'S AN EXCEPTION TO THE BIDDING REQUIREMENTS. THE PROCUREMENT PRACTICES OF THE CITY LONG-TERM HAVE BEEN TO BID OUT ALL MAJOR CONTRACTS, INCLUDING SOLID WASTE CONTRACTS, BUT THAT PRACTICE IS IN EXCESS OF WHAT'S REQUIRED BY THE LAW. IT'S MY UNDERSTANDING THAT THE DEPARTMENT FELT THAT UNDER THE CIRCUMSTANCES RELATED TO THIS CONTRACT THAT IT WAS IN THE PUBLIC'S INTEREST NOT TO GO THROUGH THAT UNNECESSARY BID PROCESS.

MAYOR WYNN: THANK YOU. QUESTIONS OF OUR LEGAL STAFF, COUNCIL? COMMENTS? THANK YOU. MR. RHODES, ONE MORE QUESTION FROM ME. MAKE SURE FOLKS CAN SORT OF PUT THE SCALE OF THIS CONTRACT INTO PERSPECTIVE. I DON'T KNOW IF YOU COULD OFF THE TOP OF YOUR HEAD CHARACTERIZE THIS AS A PERCENTAGE OF YOUR DEPARTMENT'S, YOU KNOW, TRUCK TRIPS OR TONNAGE OR WORKLOAD, BUT HOW LARGE WOULD YOU

CHARACTERIZE THIS -- THIS CONTRACT

THIS CONTRACT AFFECTS 1,012 RESIDENCES. IF YOU TAKE A LOOK AT THE INSTANCE OF I HAVE 156,000 RESIDENCE CUSTOMERS, SO --

SO IT'S ABOUT TWO-THIRDS OF 1% OF YOUR CURRENT CUSTOMER BASE?

YOUR MATH IS QUICKER THAN MINE. I'LL GO WITH THAT.

MAYOR WYNN: CLOSE. THANK YOU, MR. RHODES. COMMENTS, QUESTIONS, COUNCIL COUNCIL? MOTION MADE BY COUNCIL MEMBER MARTINEZ TO APPROVE ITEM NO. 29 AS POSTED. SECONDED BY MCCRACKEN. FURTHER COMMENTS? OBVIOUSLY WE DIDN'T TAKE THIS LIGHTLY. WE TOOK THIS INTO CLOSED SESSION TO GET SPECIFIC LEGAL ADVICE TO MAKE SURE WE WERE HANDLING THIS IN A COMFORTABLE AND VERY APPROPRIATE WAY AND IT APPEARS THAT COUNCIL IS COMFORTABLE WITH THAT. FURTHER COMMENTS ON THE MOTION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE?

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER COLE OFF THE DAIS. THANK YOU ALL. COUNCIL, QUICKLY, THAT TAKES US TO ITEM 66 THAT I HAD PULLED OFF THE AGENDA TO SIMP SLI GET -- MAKE SURE WE HAD GOOD LEGAL ADVICE. NO CITIZENS SIGNED UP TO SPEAK ON THIS ITEM. THIS IS ADDITIONAL AMENDMENT TO OUR ONGOING WORK WITH OUR AUDITORS KP AND G, AND WELCOME A BRIEF STAFF PRESENTATION FROM MR. JOHN STERCHS.

I'M THE CHIEF FINANCIAL OFFICER. ITEM 66 IS TO AUTHORIZE THE NEGOTIATION, EXECUTION AND RATIFICATION OF AMENDMENT NO. 5 TO THE CONTRACT WITH KPMG. IT ADDS 270,000 TO OUR CONTRACTING AUTHORITY WITH THEM, APPROXIMATELY 130 OF WHICH IS A RATIFICATION FOR WORK THAT THEY HAVE ALREADY BEEN DOING OUT IN THE FIELD IN THE LAST FEW WEEKS ON SOME PROCEDURES RELATED TO OUR CONVENTION CENTER, AND THEN 140,000

IS ADDITIONAL WORK THEY EXPECT TO COMPLETE TO BE ABLE TO ISSUE OUR FINANCIAL STATEMENTS, 2006 FINANCIAL STATEMENTS.

MAYOR WYNN: THANK YOU, MR. STEVENS. QUESTIONS FOR MR. STEVENS, COUNCIL? COMMENTS?

MAYOR, I HAVE ONE POINT OF CLARIFICATION. IN CHANGES AND CORRECTIONS IT WAS -- THIS ITEM WAS CORRECTED TO NOTE THAT IT WAS AMENDMENT NO. 6 TO THE CONTRACT.

I'M SORRY.

MAYOR WYNN: YES, THANK YOU.

YES, AMENDMENT NO. 6.

MAYOR WYNN: AND OBVIOUSLY, MR. STEVENS, THIS IS RELATED TO THIS ONGOING WORK THAT WE'RE ALL DOING BOTH INTERNAL AUDIT DISCOVERIES AND NOW SOME INVESTIGATIONS REGARDING, YOU KNOW, SMALL ELEMENTS OF OUR DEPARTMENT, WHICH THEN HOLDS UP THE LARGER CITY ANNUAL AUDIT. IS THERE -- AN ESTIMATE AS TO -- PERHAPS WITH THIS AMENDMENT IT ALLOWS US TO -- WORKING WITH KPMG TO FINISH THE GLOBAL WORK OF OUR ANNUAL FINANCIAL STATEMENTS AND AUDITS TO GET THOSE DONE IN A TIMELY MANNER?

THAT IS CERTAINLY OUR HOPE, MAYOR, AND I KNOW THAT KPMG IS WORKING VERY CLOSELY WITH THE OFFICE OF THE CITY AUDITOR, THEY'RE COORDINATING TOGETHER AND IT'S CERTAINLY OUR HOPE THAT WE'LL GET THOSE OUT AS QUICKLY AS POSSIBLE.

MAYOR WYNN: OBVIOUSLY WE WANT THEM TO BE ACCURATE BUT WE WOULD APPRECIATE THE SPEED. THANK YOU, MR. STEVENS. AGAIN, FURTHER QUESTIONS, COMMENTS? IF NOT I'LL ENTERTAIN A MOTION ON ADDENDUM ITEM NO. 66.

MOTION MADE BY COUNCIL MEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 66 AS CORRECTED ON OUR AGENDA. FURTHER COMMENTS?

HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCIL MEMBER COLE OFF THE DAIS. THANK YOU ALL VERY MUCH FOR YOUR PATIENCE. SO COUNCIL, THAT TAKES US TO OUR ZONING ORDINANCES, APPROVALS AND RESTRICTIVE COVENANTS BEFORE WE TAKE UP OUR PUBLIC HEARINGS. WELCOME, MR. GREG GUERNSEY.

THANK YOU, MAYOR AND COUNCIL. LET ME GO OUR 4:004:00 ITEMS, PUBLIC HEARINGS ARE CLOSED. THE FIRST ITEM IS ITEM NO. 41, THIS IS KNOWN AS OUR CARD NATIONAL SUBSTATION TO APPROVE SECOND AND THIRD READINGS FROM A PROPERTY LOCATED AT 3306 TO 3310 SOUTH 2ND STREET. THIS IS A REZONING ACROSS FROM FAMILY RESIDENCE OR SF-3 TO P, PUBLIC DISTRICT ZONING. THIS IS READY FOR CONSENT APPROVAL ON SECOND AND THIRD READING. ITEM NO. 42, WHICH IS C14-06-022 THOUGH, THE THORNTON BUNGALOWS. THIS IS A POSTPONEMENT REQUEST. FIRST REQUEST, THIS IS TO JUNE 7. THAT CONCLUDES THE ITEMS WHERE THE PUBLIC HEARINGS HAVE BEEN CLOSED.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. QUESTIONS OF STAFF, COUNCIL? IF NOT, OUR PROPOSED CONSENT AGENDA WILL BE TO APPROVE ITEMS NO. 41 ON SECOND AND THIRD READING AND THE POSTPONED ITEM 42 TO JUNE 2, 2007. MOTION MADE BY COUNCIL MEMBER MARTINEZ, SECONDED BY THE MAYOR PRO TEM TO APPROVE THE CONSENT AGENDA AS PROPOSED. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE. OPPOSED? MOTION PASSES ON A VOTE OF 6-0.

THANK YOU, MAYOR, AND COUNCIL. LET ME THEN GO ON TO ZONING. ITEMS UNDER PUBLIC HEARINGS AND POSSIBLE ACTION. OUR FIRST ITEM IS ITEM NO. 43. THIS IS KC 12 M-07-0001 (RCA) KNOWN AS THE CAMDEN PROPERTY ON WEST

PARMER LANE. APPLICANT REQUESTS AN ADDITIONAL POSTPONEMENT OF THIS ITEM TO JUNE 7. I UNDERSTAND THE DOCUMENTS ARE IN TRANSIT BUT THEY DID NOT ARRIVE TO US, SO THIS WILL BE A POSTPONEMENT BY THE APPLICANT TO JUNE 7.

MAYOR WYNN: JUST TO CONFIRM, THERE IS NO CITIZENS SIGNED UP HERE IN OPPOSITION. I THINK OUR APPLICANT IS HERE TO SPEAK IN FAVOR, BUT AGAIN, REQUESTING A POSTPONEMENT.

ITEM NO. 44 IS CASE C 14-06-0208, EASTBOURNE CROSSING AT 3400 TO 3517 BLOCK OF FM 973 SOUTH. WE HAVE AN APPLICANT POSTPONEMENT REQUEST TO JUNE JUNE 7. THAT'S OUR FIRST REQUEST. ITEM NO. 45 IS CASE C 14-07-0003 ON MANOR ROAD AT 4611 MANOR ROAD. THIS IS A REZONING REQUEST FROM PLANNED UNIT DEVELOPMENT, OR PUD IN THAT COMBINING DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY, NEIGHBORHOOD PLAN GR-MU-CO NP COMBINED DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE REQUEST AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NO. 46 IS CASE C 14-14-07-0009 SOUTH URBAN LOFTS AT SOUTH CONGRESS AVENUE AND WE HAVE A STAFF POSTPONEMENT REQUEST TO JUNE 7. ITEM NO. 47 IS CASE C 2 A-06-0224, ASPEN LAKE. AND THIS IS THE PARK AT ASPEN LAKE LOCATED AT 1370 TO 13800 RESEARCH BOULEVARD. THIS IS A REZONING REQUEST FOR MULTIFAMILY RESIDENCE, LOW DENSITY, MF-2 CO COMBINING DISTRICT ZONING, AND COMMUNITY COMMERCIAL GR DISTRICT ZONING TO LIMITED INDUSTRIAL DEVELOPMENT OR LIPDA COMBINED DISTRICT ZONING. THE APPLICANT HAS REQUESTED THIS, AND THE ZONING AND PLATTING COMMISSION RECOMMENDATION WAS TO GRANT COMMUNITY HIGHWAY PLANNED DEVELOPMENT AREA, CH-PDA COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. I'LL NOTE THAT THE ORDINANCE THAT YOU HAVE ON THE DAIS MAY REFERENCE TRAVIS COUNTY, AND THE CORRECT REFERENCE SHOULD BE WILLIAMSON COUNTY AND WITH THAT ONE CHANGE NOTE THIS IS READY FOR CONSENT

APPROVAL ON ALL THREE READINGS.

ITEM NO. 48 IS RELATED TO ITEM 49, AND ITEM 48 IS CASE NPA-06-0009.02, THE LOS ABOGADOS GUEROS, AND THIS IS AN AMENDMENT TO THE NEIGHBORHOOD PLAN AT 1214 EAST 7TH STREET. AND THIS IS A CHANGE TO REFLECT THE OFFICE MIXED USE DESIGNATION THAT IS RECOMMENDED BY THE PLANNING COMMISSION. ITEM 49 49 THE RELATED CASE IS CASE C 14-06-0162 AND C 14 H-07-002, AGAIN FOR THE SAME PROPERTY AT 1214 EAST 7TH STREET.

PRESENTING A REQUEST FOR FAMILY RESIDENTS OR SF-3 MP COMBINING DISTRICT OFFICE TO GENERAL HISTORIC, MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN AND I'LL CORRECT THAT, IS A CORRECTION TO THE AGENDA EARLIER THIS MORNING, THAT'S NEIGHBORHOOD OFFICE, AND IT WAS ALSO RECOMMENDED BY THE PLANNING COMMISSION FOR THE NOH MU-CO NP COMBINING DISTRICT ZONING. I'LL NOTE THAT THE VALID PETITION THAT WAS ORIGINALLY FILED IN REGARDS TO THIS CASE HAS BEEN WITHDRAWN BY ONE OF THE PETITIONERS MAKING THE PETITION INVALID. THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION HAS WITHDRAWN THEIR NAME FROM THE PETITION, SO THIS WOULD ONLY REQUIRE FIVE AFFIRMATIVE VOTES TO BE APPROVED ON ALL THREE READINGS. NEW MEXICO 50 IS C 14-07-0018, BARTON PLACE LOCATED AT 1600 BARTON SPRINGS ROAD. THIS IS A REZONING ACROSS FROM GENERAL COMMERCIAL SERVICES OR CS, DISTRICT ZONING TO MULTIFAMILY RESIDENCE HIGHEST DENSITY OR MF-6 DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE MULTIFAMILY RESIDENCE HIGHEST DENSITY CONDITIONAL OVERLAY OR MF-6 CO DISTRICT ZONING. THIS IS FOR CONSENT ON FIRST READING ONLY. I UNDERSTAND MR. JEFF JACK, WITH THE ZILKER NEIGHBORHOOD, WOULD LIKE TO SPEAK BRIEFLY TO THIS ITEM AND JUST LEAVE THIS ON A CONSENT IF POSSIBLE. SO MAYOR, COUNCIL, IF YOU'D LIKE TO HEAR FROM JEFF NOW I CAN CONCLUDE THE OTHER ITEMS.

MAYOR WYNN: WHICH -- WHICH CASE IS THIS, MR.--

THIS IS ITEM NO. 50, BARTON PLACE, CASE C 14-07-0018, AND WE JUST HAVE A NEIGHBORHOOD REPRESENTATIVE, JEFF

JACK, THAT WOULD LIKE TO SPEAK IN FAVOR ON THIS AND LEAVE THIS ON THE CONSENT AGENDA.

MAYOR WYNN: YES.

OKAY.

OH, THERE IS OPPOSITION?

MAYOR WYNN: THERE'S 13 PEOPLE SIGNED UP WISHING TO SPEAK SO HANG ON.

OKAY. THAT WILL BE A DISCUSSION CASE. APOLOGIZE. ITEM NO. 51 IS CASE C 14-2007-0038. SH, GARDEN TERRACE AT 1015 WEST WILLIAM CANON DRIVE. THIS IS A REREZONING REQUEST LIMITED DENSITY, MF 1 CO COMBINED, TO MULTIFAMILY LOW DENSITY, MF-2 DISTRICT ZONING. THE PLANNING -- ZONING AND PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE MULTIFAMILY RESIDENCE LOW DENSITY CONDITIONAL OVERLAY OR MF-2CO COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NO. 52 IS CASE C 14-07-0019, THIS IS KNOWN AS THE SOUTH LAMAR CONDOS AT 3508 SOUTH LAMAR BOULEVARD, A REZONING REQUEST FROM COMMUNITY COMMERCIAL OR GR COMBINING DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE, CONDITIONAL OVERLAY OR GR-MU-CO COMBINED DISTRICT ZONING. PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE GR-MU-CO COMBINING DISTRICT ZONING. WE HAVE A POSTPONEMENT REQUEST.

MAYOR? THERE'S SOME ENVIRONMENTAL CONSIDERATIONS THAT ARE STILL BEING -- IN THE PROCESS OF BEING EVALUATED, SO I WOULD LIKE TO REQUEST A POSTPONEMENT UNTIL JUNE 7.

REQUESTING POSTPONEMENT TO JUNE 7.

THANK YOU.

AND ITEM NO. 53 IS A DISCUSSION ITEM. THAT'S C 14-200-7001, LAMAR/MANCHACA MIXED USE PROJECT. AND THAT

WILL BE A DISCUSSION ITEM.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. SO JUST TO HELP ME. SO ITEMS 48 AND 49 ARE RELATED, OBVIOUSLY, AND WE HAVE NO SPEAKERS HERE ON THE ITEMS. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.] IS.

Mayor Wynn: TO CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THREE HERE'S, ITEM NUMBER 51. AND TO POSTPONE ITEM NUMBER 52 TO JUNE 7TH, 2007. I'LL ENTERTAIN THAT MOTION. MOTION MADE BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER LEFFINGWELL TO PRIEF THE CONSENT AGENDA AS READ. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN?

McCracken: I HAVE A QUESTION FOR MR. GUERNSEY. ON THE APPLICABILITY OF THE DESIGNS STANDARDS ORDINANCE FOR CHPDA ZONING, THIS WOULD BE ON 47, THE DESIGN STANDARDS ORDINANCE SAYS THE FOLLOWING PROVISIONS SUPERSEDE THE DESIGN STANDARDS OF THE MIXED USE ORDINANCE, THE EXTENT OF A CONFLICT, PLANNED DEVELOPMENT AREA COMBINING DISTRICT. I'D LIKE TO KNOW WHAT ARE THE PROVISIONS IN CONFLICT FOR CHPDA WITH THE DESIGN STANDARDS AND MIXED USE ORDINANCE. IT COULD BE NONE, BUT --

PART OF THIS DEVELOPMENT IS ALREADY CONSTRUCTED OR ALREADY HAS APPROVED SITE PLANS ON THE PROPERTY. AND I BELIEVE THE APPLICANT'S REPRESENTATIVE IS NOT PRESENT ON THIS AND WILL BE PRESENT LATER. WE COULD PULL THIS ITEM FOR NOW.

McCracken: I JUST WANTED TO CONFIRM BECAUSE MY UNDERSTANDING IS THIS APPLICATION WOULD HAVE TO COMPLY WITH THE DESIGN STANDARDS MIXED USE ORDINANCE. I JUST WANT TO MAKE SURE BECAUSE WE HAVE TO FLAG THIS ON P.U.D.'S AND PDA'S WHENEVER THEY COME UP.

COUNCILMEMBER, I HAVE BEEN CONFIRMED THAT THERE ARE NO REQUESTED EXEMPTIONS OR EXCEPTIONS FROM THAT ORDINANCE.

McCracken: SO THIS APPLICATION IS GOING TO COMPLY WITH THE DESIGN STANDARD AND MIXED USE ORDINANCE?

THAT'S MY UNDERSTANDING.

Mayor Wynn: THANK YOU. FURTHER QUESTIONS, COMMENTS ON THE CONSENT AGENDA? WE HAVE A MOTION AND A SECOND ON THE TABLE. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS. SO ITEM NUMBER 50, MR. GUERNSEY.

THAT BRINGS US BACK TO NUMBER 50. THIS IS CASE C-14-07-0018 KNOWN AS BARTON PLACE. THIS IS TO CONDUCT A PUBLIC HEARING FOR THE REZONING OF THIS PROPERTY FROM GENERAL COMMERCIAL SERVICES OR CS DISTRICT ZONE TO GO MULTI-FAMILY RESIDENCE HIGHEST DENSITY OR MF-6 ZONING ON THIS PROPERTY. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE MULTI-FAMILY RESIDENCE HIGHEST DENSITY DISTRICT ZONING ON THIS PROPERTY. THE PROPERTY IS LOCATED AT 1600 BARTON SPRINGS ROAD AND IS APPROXIMATELY 3.367 ACRES OF LAND. IT IS CURRENTLY DEVELOPED AS AN RV PARK. THE ZONING IN THE GENERAL AREA TO THE EAST IS CS AND USED FOR MOBILE HOMES. TO THE SOUTH IS ALSO CS. TO THE WEST IS SOME OFFICE AND PARKING AREAS, RESTAURANTS ZONED CS AND CS-1 AND TO THE NORTH ACROSS TOOMEY ROAD IS BUTLER PARK. THE REZONING REQUEST IS TO ALLOW FOR A RESIDENTIAL DEVELOPMENT THAT WOULD OBTAIN A HEIGHT MAXIMUM OF 76 FEET. IT IS LOCATED IN THE WATERFRONT OVERLAY AND WOULD BE COMPLIANT WITH THOSE STANDARDS OF THE WATERFRONT OVERLAY FOR THE BUTLER SHORES AREA. THE APPLICANT HAS WORKED WITH THE ZILKER NEIGHBORHOOD ASSOCIATION AND THEY ARE HERE TO SPEAK IN SUPPORT OF THE REZONING REQUEST. THERE WOULD BE A PROVISION FOR PUBLIC ACCESS TO DIVERSE THE SITE FROM BARTON SPRINGS ROAD TO TOOMEY ROAD, AND THIS REQUEST WOULD ONLY ALLOW US TO GO FORWARD FOR FIRST READING TODAY. AND MAYOR, YOU HAD MENTIONED I THINK THERE WERE 13 INDIVIDUALS, AND I KNOW SOME OF THOSE IN OPPOSITION.

Mayor Wynn: CORRECT.

SO WHAT WE CAN DO IS ALLOW THE AGENT TO COME FORWARD AND PRESENT THEIR CASE. IF YOU HAVE ANY QUESTIONS OF ME AT THIS TIME, I'LL BE BE MORE THAN HAPPY TO ANSWER THEM.

Mayor Wynn: THANK YOU, MR. GUERNSEY. QUESTIONS OF STAFF, COUNCIL? IF NOT, WE WILL CONDUCT OUR PUBLIC HEARING ON THIS ITEM NUMBER 50. AND AGAIN, WE HAVE A HANDFUL OF FOLKS SIGNED UP IN OPPOSITION, SO WE WILL CONDUCT -- WE WILL HAVE OUR APPLICANT AND/OR THE AGENT PRESENT THE CASE AND WE'LL HEAR FROM FOLKS IN FAVOR OF THE ZONING REQUEST AND THEN FOLK IN OPPOSITION AND THE APPLICANT-AGENT WILL HAVE A REBUTTAL. AND IT LOOKS LIKE WE'LL WELCOME MR. MIKE BLIZZARD. AND MIKE, A NUMBER OF FOLK WANTED TO DONATE TIME TO YOU. IS CONNIE NATHAN HERE? HELLO. WELCOME. HOW ABOUT RICHARD GROVOI? OR HARD GARDENER SUMNER? WELCOME BACK. AND HOW ABOUT IRENE GARCIA SO MR. BLIZZARD, YOU WILL HAVE UP TO 11 MINUTES IF YOU NEED IT.

THANK YOU. MAYOR. I WON'T NEED THAT MUCH TIME. WE'VE GOT A POWERPOINT PRESENTATION HERE. IT'S RATHER BRIEF. I'M MIKE BLIZZARD AND I AM HERE REPRESENTING CONSTRUCTION VENTURES AND AUSTIN JAVA. WHO ARE PROPOSING THE BARTON PLACE CONDOS ON BARTON SPRINGS ROAD. THIS IS THE SITE HERE. MOST PEOPLE ARE PRETTY FAMILIAR WITH WITH THIS AREA. THE ENTIRE TRACT IS ABOUT FOUR AND A HALF ACRES. THAT'S LAMAR TO THE EAST. HEADING DOWN BARTON SPRINGS TO THE WEST AND IT'S BOUNDED BY TOOMEY ROAD ON THE NORTH AND BRINK ROAD ON THE SOUTH. THE SITE IS CURRENTLY OCCUPIED BY TWO RESTAURANTS ON THE FRONT. ONE OF THEM IS AUSTIN JAVA AND THE OTHER IS THE NEW UNCLE BILLY'S RESTAURANT. THEY ARE BOTH OWNED BY THE SAME COMPANY. THEY'RE BOTH LOCALLY OWNED BUSINESSES. THE CURRENT ZONING IS CS FOR THE ENTIRE SITE AND THAT ALLOWS US TO 60 FEET. THE SITE AS YOU CAN SEE IS A SIGNIFICANT DISTANCE FROM TOWN LAKE. IT'S ABOUT 800 FEET FROM TOWN LAKE, SO IT IS NOT IMPACTED AT ALL BY THE PRIMARY AND SECOND DAIRY SETBACKS FROM TOWN

LAKE. HOWEVER, AS PART OF THE TOWN LAKE WATERFRONT OVERLAY IN THIS AREA, WHICH IS THE BUTLER SHORES AREA, IT COVERS THE ENTIRE AREA DOWN TO BARTON SPRINGS ROAD. AND IT DOES HAVE SOME IMPACTS ON THIS SITE. AND WE'VE OUTLINED THOSE IMPACTS IN BLACK THERE, WHICH IS THE SETBACKS THAT ARE REQUIRED UNDER THE TOWN LAKE OVERLAY. IT REQUIRES A 35-FOOT SET BACK FROM TOOMEY ROAD AND A 35-FOOT SET BACK FROM BARTON SPRINGS ROAD AS WELL AS 10-FOOT SETBACKS ON THE SIDES. AND WE ARE COMPLYING WITH ALL OF THOSE SETBACKS. SO THIS IS FULLY COMPLIANT WITH THE TOWN LAKE OVERLAY. AND THE DOTTED LINE IS WHERE ACTUALLY THE MF ZONING WILL START. THAT'S ABOUT 115 FEET FROM BARTON SPRINGS ROAD, SO IT'S ABOUT THREE TIMES THE REQUIRED SET BACK. THE SITE IS ALSO IMPACTED BY COMPATIBILITY STANDARDS. FROM THE RESIDENCES THAT ARE UP THE HILL ON THE OTHER SIDE OF BARTON SPRINGS ROAD. SO EVEN THOUGH THOSE RESIDENCES SIT ON A HIGH HILL, IT WAS THIS -- COMPATIBILITY KICKS IN AS IF THEY WERE ON AN EVEN PLANE WITH OUR SITE. AND AGAIN, THOUGH, WE ARE FULLY COMPLIANT WITH THE COMPATIBILITY STANDARDS, WE ARE SIMPLY RAMPING UP THE HEIGHT OF THE DEVELOPMENT AS IT MOVES BACK TO FULLY COMPLY WITH THOSE STANDARDS. SO WHAT WE'RE ASKING IS TO MAINTAIN CS ZONING ON THE FRONT PORTION OF THE SITE WHERE THE RESTAURANTS ARE, AND TO CHANGE THE ZONING TO MF-6 IN THE BACK, WHICH ALLOWS -- SORRY. WHICH ALLOWS FOR 90 FEET, BUT WE'RE WILLING TO VOLUNTARILY CAP THAT AT 75 FEET. AND AS PART-THAT DISCUSSION WE TALKED TO THE NEIGHBORHOOD ABOUT WANTING TO PRESERVE BE THOSE RESTAURANTS. OBVIOUSLY AUSTIN JAVA OWNER DEFINITELY WANTS TO PRESERVE THOSE RESTAURANTS, BUT PEOPLE REALLY WANT TO SEE THE NATURE OF BARTON SPRINGS ROAD REMAIN THAT WAY IN THE LONG-TERM AND NOT JUST FOR THE LIFE OF PARTICULAR BUSINESSES. AND SO WHAT WE CAME UP WITH WAS A WAY THAT WE WOULD GIVE UP THE DEVELOPMENT RIGHTS ON THE FRONT END THAT WE WOULD HAVE TO BUILD UP TO 60 FEET AND TRANSFER THOSE RIGHTS TO THE BACK END. AND WHAT YOU SEE IS THE YELLOW AND ORANGE ARE THE DEVELOPMENT RIGHTS

THAT WE ARE GIVING UP THROUGH A PRIVATE RESTRICTIVE COVENANT THAT'S BEEN SIGNED WITH THE NEIGHBORHOOD, AND THOSE RIGHTS WOULD BE TRANSFERRED TO THE BACK TO ADD 15 FEET TO THE EXISTING ZONING. AND THIS WILL SHOW IT A LITTLE MORE CLEARLY. THIS YELLOW AND ORANGE IS WHAT'S BEING GIVEN UP AND IT'S BEING TRANSFERRED AS THAT 15 EXTRA FEET TO SIT ON TOP OF THE MF IN THE BACK. WE THINK THIS ACHIEVES MANY GOALS. IT MAKES THE PROPERTY MORE MARKETABLE FROM AN MF PERSPECTIVE, NOT TO BUILD MORE FLOORS, BUT TO MAKE THE CEILING HEIGHTS HIGHER. AND IT PRESERVES AUSTIN'S RESTAURANT ROW, WHICH REALLY IS A UNIQUE DESTINATION THAT'S MOSTLY LOCAL BUSINESSES. ANOTHER ISSUE IS CONNECTIVITY. I KNOW THIS VERY WELL BECAUSE MY WIFE AND I LIVED FOR MANY YEARS UP THE HILL THERE. AND THE CITY HAS JUST BUILT A SIDEWALK DOWN THAT HILL OF KINNEY, BUT WHEN YOU CROSS THAT SIDEWALK AT THE LIGHT INTERSECTION, YOU HAVE TO GO A SIGNIFICANT DISTANCE EITHER WEST OR EAST TO GET AROUND AND BACK TO THE BALL FIELDS AND TO TOWN LAKE THERE. SO WHAT WE'RE PROPOSING AND OFFERING TO DO IS TO OFFER AN EASEMENT TO THE CITY TO ALLOW A TRAIL AND TO ACTUALLY BUILD A TRAIL FROM THAT INTERSECTION BACK THERE TO THE BALL FIELDS AND THEN PEOPLE CAN ACCESS THAT DIRECTLY FROM THE NEIGHBORHOOD. SO THAT'S AN IMPORTANT AMENITY TO THE NEIGHBOR AND WE'RE CERTAINLY WILLING TO DO THAT. TRANSPORTATION. THIS DOES NOT REQUIRE A TRAFFIC IMPACT ANALYSIS. IT'S SIGNIFICANTLY -- THE ESTIMATE IS SIGNIFICANTLY UNDER THE AMOUNT THAT WOULD TRIGGER THAT. I THINK IT'S ABOUT 1400 TOTAL TRIP. AND THERE WAS SOME CONCERN ABOUT THE IMPACT ON BARTON SPRINGS ROAD, BUT WHAT WE'RE DOING IS THE RESTAURANT ACCESS WILL REMAIN UNCHANGED, SO THERE WILL NOBODY ADDITIONAL TRIPS ON BRINK ROAD. AND THE RESIDENTIAL ACCESS WILL BE FROM TOOMEY. SO ALL THE NEW TRAFFIC WILL GO ON TOOMEY ROAD, WHICH MOST PEOPLE CONSIDER IT AN UNDER UTILIZED STREET. THIS IS ALSO SURROUNDED BY TRANSIT STOPS. HAVE YOU THE NUMBER 29, THE 30, THE 3, THE 338, THE DILLO. WITHIN WALKING DISTANCE YOU COULD CATCH A BUS IN A MULTITUDE OF DIRECTIONS FROM THIS SITE. SO WE THINK THERE'S A VARIETY OF COMMUNITY

BENEFITS FROM THIS. IT ADDS DENSITY WHERE PROPT. IT'S VERY CONSISTENT WITH ENVISION CENTRAL TEXAS AND NUMEROUS PUBLIC PLANNING EFFORTS. IT WILL ADD 3.5 MILLION ANNUALLY TO THE ANNUAL TAX REVENUE, ALSO INCREASE BONDING CAPACITY FOR THE CITY OF AUSTIN, TRAVIS COUNTY, AISD, A.C.C. PRESERVE TWO LOCAL BUSINESSES, OF COURSE. INCREASE PEDESTRIAN CONNECTIVITY TO PAKZ PARKS. WE ARE PROPOSING A CONTRIBUTION TO THE CITY AFFORDABLE HOUSING TRUST FUND THAT MANY OF YOU ARE AWARE OF. WE BELIEVE IT SETS THE RIGHT PRECEDENT FOR SOUTH BANK REDEVELOPMENT TO PRESERVE BARTON SPRINGS ROAD AND RESTAURANT ROW WHILE PROVIDING DENSITY HIN AND IT COMPLIES WITH THE TOWN LAKE OVERLAY. WE'VE RECEIVED A LOT OF COMMUNITY SUPPORT. OF COURSE, IT'S SUPPORTED BY CITY STAFF. WE RECEIVED THE UNANIMOUS RECOMMENDATION OF THE PLANNING COMMISSION. THE ZILKER NEIGHBORHOOD ASSOCIATION AND SAVE TOWN LAKE.ORG. AND I THINK THERE'S REPRESENTATIVES FROM BOTH OF THOSE ORGANIZATIONS THAT WILL SPEAK BRIEFLY TO YOU TOW ABOUT THEIR SUPPORT. AN THAT'S ALL I HAVE IF THERE'S ANY QUESTIONS ABOUT THE PROJECT.

Mayor Wynn: THANK YOU, MR. BLIZZARD. QUESTIONS FOR THE AGENT, COUNCIL? I GUESS I HAVE ONE, MR. BLIZZARD. IT'S VERY IMPRESSIVE LIST OF COMMUNITY BENEFITS, BUT I DID HAPPEN TO NOTICE THE AN BEABSENCE OF A NOTATION ABOUT GREEN BUILDING. AND I'LL SAY MANY OF US RECOGNIZE JUST THE NATURE OF THIS MULTI-FAMILY CONSTRUCTION IS AWFULLY ENERGY EFFICIENT TO BEGIN WITH.

RIGHT.

Mayor Wynn: I'VE EXPERIENCED PERSONALLY DOWNTOWN AND IT'S HAPPENING ALL OVER TOWN JUST WITH WITH FIRST AND FOREMOST NEW CONSTRUCTION TECHNIQUES, BUT ALSO HAVING MORE UNITS STACK ON TOP OF ONE ANOTHER ACTUALLY HELPS SIGNIFICANTLY. HAVE YOU ALL BEEN ANALYZING THE TECHNICALITIES OF OUR GREEN BUILDING PROGRAM AND THEN ALL YOU CAN ALL HELP YOUR FUTURE RESIDENTS WITH THEIR ENERGY CONSUMPTION?

YES. WE ARE GOING TO PARTICIPATE IN THE CITY'S GREEN BUILDING PROGRAM AND WE ACTUALLY HAD A MEETING WITH THE ARCHITECTS THIS MORNING. WE JUST HAVEN'T GOTTEN FAR ENOUGH DOWN THE DESIGN PATH TO SAY WHAT STANDARDS WE'RE GOING TO MEET AND WHAT SORT OF ENERGY EFFICIENCIES, BUT AS YOU KNOW THIS DEVELOPMENT TEAM HAS A GREAT TRACK RECORD. THEY'VE DONE THREE-STAR PROJECTS, THEY'VE DONE FIVE-STAR PROJECTS, SO WE'RE GOING TO BE PARTICIPATING IN THAT GREEN BUILDING PROGRAM AND WE'RE GOING TO DO A SERIOUS COMMITMENT TO GREEN BUILDING.

Mayor Wynn: GREAT. THANK YOU. FURTHER QUESTIONS OF THE AGENT, COUNCIL, OR COMMENTS? THANK YOU, MR. BLIZZARD. SO IF NOT, WE'LL HEAR FROM FOLKS WHO ARE IN SUPPORT OF THE ZONING CASE BEFORE WE TAKE UP SOME FOLKS IN OPPOSITION. OUR FIRST SPEAKER IN SUPPORT OF IS MR. JEFF JACK WHO I SAW EARLIER. AND IF NEED BE, IS PATTY SPRINKLE IN THE ROOM. WELCOME. AND BRYAN KING? WELCOME BACK. SO JEFF, IF YOU NEED IT YOU WILL HAVE UP TO NINE MINUTES.

MAYOR, COUNCILMEMBERS, I'M JEFF JACK, PRESIDENT OF THE ZILKER NEIGHBORHOOD ASSOCIATION. THE BASIS OF THE AGREEMENT BEFORE YOU TODAY REALLY HINGE ON TWO THINGS. THE INCREASED ZONING ENTITLEMENTS FOR SIGNIFICANT COMMUNITY BENEFITS. I THINK THE ARTICLE IN THE PAPER A FEW WEEKS AGO TALKED ABOUT AUSTIN NOT BEING A STEPCHILD ANY LONGER IN THE WORLD OF DEVELOPMENT. THAT WE CAN ASK FOR BETTER THINGS OUT OF THE DEVELOPMENT COMMUNITY, AND I THINK THIS IS A GOOD EXAMPLE OF WHERE WE SHOULD BE GOING AS A COMMUNITY. INCREASED ZONING ENTITLEMENTS TIED TO COMMUNITY BENEFITS. THE SECOND MAJOR THING IS THE WILLINGNESS OF THIS APPLICANT TO WORK WITH THE NEIGHBORHOOD ASSOCIATION. WE STARTED THIS NEGOTIATION MAYBE FIVE MONTHS AGO, AND IT'S BEEN A VERY INTERESTING NEGOTIATION AND I THINK THAT THE GOOD FEATSZ EFFORT OF THE ON OWE GOOD FAITH EFFORT OF THE DEVELOPER WAS VERY HELPFUL IN BRINGING US TO WHERE WE ARE TODAY. THIS ZONING CASE, AS YOU SAW IN MIKE'S PRESENTATION, IS ASKING FOR MF-6 ON THE BACK PART OF THIS LOT AND HOLDING IT TO 75

FEET, RESPECTS COMPATIBILITY STANDARDS AND IT RESPECTS THE WATERFRONT OVERLAY SETBACKS. AND IT MAINTAINS THE BUILDING VOLUME THAT IS ALLOWABLE UNDER THE EXISTING ZONING. WE'RE NOT INCREASING THE BUILDABLE SPACE WITHIN THIS AREA. SO WHAT WE HAVE HERE IS A TRADE-OFF. TO GO FROM 60 TO 75 FEET WE GET THE PUBLIC ACCESS THAT WAS MENTIONED. WE SAVED SOME TREES. THEY DIDN'T MENTION WE'RE GOING TO SAVE 12 OF THE TREES THAT ARE ON SITE AND THEY HAVE ALSO AGREED TO MOVE FIVE OF THE TREES OFF TO PARKLAND EITHER RIGHT ACROSS TOOMEY RIGHT OR INTO ZILKER PARK. WE'RE GOING TO RETAIN THE EXISTING RESTAURANTS. THE ZILKER NEIGHBORHOOD HAS WORKED HARD TO MAINTAIN THOSE FOR OUR COMMUNITY AND WE'RE VERY GLAD TO KEEP THEM. AND IT IS AN INTERNAL TRANSFER OF DEVELOPMENT RIGHTS. ONE OF THE DIFFICULT THINGS WE HAD TO DEAL WITH IS THE AFFORDABLE HOUSING. THE TRAILER PARK THERE IS MANY PEOPLE'S IDEA OF AN ICONIC AUSTIN. BUT WE REALIZE THAT THIS PIECE OF REAL ESTATE DOWN THERE IS UNDER GREAT DEVELOPMENT PRESSURE AND THAT WE WILL EVENTUALLY SEE THE RESTAURANTS WE WITH HOPE PRESERVED, BUT AT THE SAME TIME UNDERSTAND THAT THE REST OF THE SITES ARE GOING TO BE UNDER GREAT DEVELOPMENT PRESSURE. SO WE REGRET THE LOSS OF AFFORDABLE HOUSING THERE, BUT THE DEVELOPER STEPPED FORWARD TO ACKNOWLEDGE THAT AND TO WORK WITH THE CITY OF AUSTIN POSSIBLY IN COMING UP WITH A DONATION TO THE AFFORDABLE HOUSING TRUST AND THAT MONEY WOULD BE SPENT IN THE ZILKER NEIGHBORHOOD AREA. SO THIS PROJECT SET SOME PRETTY IMPORTANT PRECEDENTS FOR US. ONE THE PRESERVATION OF RESTAURANT ROW WE HOPE IS A PRESS DPOANS ALL OTHER DEVELOPMENT ALONG BARTON SPRINGS. THE HEIGHT LIMITATION TO 75 FEET, WHICH IS INSIDE WHAT IS ALLOWED UNDER THE 1986 WATERFRONT OVERLAY WITH SIGNIFICANT COMMUNITY BENEFITS. RESPECTING EXAT INLT STANDARDSCOMPATIBILITYSTANDARDS. AFFORDABLE HOUSING. BUT THIS IS A TWO-PART DEAL. THE ZONING CASE BEFORE YOU TODAY DOESN'T CONTAIN SOME OF THESE ITEMS. SO WE HAVE NEGOTIATED A RESTRICTIVE COVENANT WHICH RICK JUST HANDED ME HIS SIGNED COPY, THAT

EMBODIES ALL THE THINGS THAT COULD BE OCCUR IN THE ZONING CASE. SO WE WANT THE COUNCIL TO BE VERY CLEAR THAT THE ZONING CASE IS ONLY PART OF THE PACKAGE. THE RESTRICTIVE COVENANT WE HAVE NEGOTIATED IS CERTAINLY FOR OUR NEIGHBORHOOD SUPPORT OF THIS PROJECT. THE LAST THING I WANT TO MENTION IS THE FACT THAT WE HAVE AN INTRICATE NEGOTIATION BECAUSE THE APPLICANT THAT IS GETTING THE REZONING, THE CURRENT OWNER OF THE PROPERTY IS SELLING IT TO THESE DEVELOPERS, BUT THEY HAVE NOT CLOSED ON THE PROPERTY YET. THAT IS WHY TONIGHT WE'RE LOOKING AT FIRST READING, AND IT'S OUR UNDERSTANDING THAT ONCE THE PROJECT HAS CLOSED AND THE DEVELOPER 'S HAVE PURCHASED THE PROPERTY, THEN THE RC WILL BECOME IN EFFECT AND WE CAN GO TO THIRD READING. ON BEHALF OF THE ZILKER NEIGHBORHOOD I WOULD LIKE TO THANK THE DEVELOPERS FOR WORKING WITH US. AND I WOULD LIKE TO THANK THE MEMBERS OF THE EXECUTIVE COMMITTEE, AND WE APPRECIATE THE COUNCIL'S SUPPORT OF THE PROJECT. THANK YOU.

Mayor Wynn: THANK YOU, MR. JACK WITH AND FOR YOUR WORK ON THE PROJECT. OUR NEXT SPEAKER IN FAVOR IS PATRICK WENTWORTH. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY LORRAINE ATHERTON, WHO WILL BE FOLLOWED BY TOM COOK.

MAYOR AND COUNCILMEMBERS, MY NAME IS PATRICK WENT WORST. I'M A PRACTICING AN BORIST. I'VE BEEN WORKING ON TREES HERE IN FIEWN THE PAST 32 YEAR. I HAVE SERVED HERE IN THE PAST AS A COUNCIL APPOINTEE FOR TO THE URBAN FORESTRY BOARD WHERE I WAS CHAIR AND HELPED PASS THREE OF THE ORDINANCES WE HAVE TO PRESERVE SOME OF THE TREES HERE IN THE CITY OF AUSTIN. IN MY EXPERIENCE AS ANN ARBORIST I HAVE SEEN DOZENS OF CONTRACTORS TRY TO WORK AROUND CITY RULES TO PRESERVE THE URBAN FOREST. USUALLY WHEN I'M BEING CALL BY CONTRACTORS IT'S TO APIECE CITY STAFFERS WHO HAVE LEVELED PENALTIES AGAINST THEM FOR THEIR WRONGFUL ACTS AGAINST TREES. BARTON PLACE HAS BEEN A VERY UNIQUE PROJECT TO ME FROM MY PERSPECTIVE. I WAS BROUGHT IN VERY EARLY WHEN THIS WAS STILL IN THE PLANNING STAINGZ. THEY WERE

CONCERNED ABOUT HOW THEY COULD PRESERVE BE AS MANY TREES AS POSSIBLE. THE FIRST THING I DID WAS COUNSEL WITH THE CITY ARBORIST. I BROUGHT HIM IN 24 HOURS AFTER THEY FIRST TALKED TO ME ABOUT THIS. WE HAVE SINCE TALKED TO HIM AT LENGTH ABOUT THIS PROJECT AND HE HAS SAID HE C SUPPORT IT BECAUSE THIS IN FACT DOES SERVE TO CARRY OUT THE INTENT OF THE TREE PRESERVATION ORDINANCE. WITH THE DEVELOPERS WE'VE COME UP WITH A PLAN TO PRESERVE THE 12 LARGEST PECAN TREES ON THE SITE, PROTECT THEM DURING CONSTRUCTION AND MAINTAIN THEM LONG AFTER CONSTRUCTION IS OVER WITH. IN ADDITION, THE DEVELOPERS HAVE AGREED TO SPEND IN EXCESS OF \$250,000 TO MOVE FIVE YEARSTREES OFF THE SITE. THEY DON'T HAVE TO SPEND THIS KIND OF MONEY TO COMPLY WITH CITY ORDINANCES, BUT THEY'RE WILLING TO DO THAT. THE TREES WILL BE MADE AS A DONATION TO PARKLAND IMMEDIATELY ACROSS TOOMEY ROAD. THEY ALSO AGREED TO PAY FOR MAINTENANCE FOR TWO YEARS AFTER THE TREES HAVE BEEN MOVED TO ENSURE THEY SURVIVE BECAUSE A VERY POORLY FUNDED FORESTRY DIVISION. WITH THE ZILKER NEIGHBORHOOD ASSOCIATION ENDORSING THIS PROJECT, THE PLANNING COMMISSION UNANIMOUSLY ENDORSING THIS, THE LARGE CONTRIBUTION MADE TO AFFORDABLE HOUSING, THIS IS ONE PROJECT THAT YOU SHOULD HOLD UP AS AN EXAMPLE OF HOW TO DEVELOP THE INNER CITY. THANK YOU.

Mayor Wynn: THANK YOU. LORRAINE ATHERTON. GREAT. WE'LL SHOW YOU IN SUPPORT, LORRAINE. THANK YOU. AND TOM COOK? TOM COOK SIGNED UP WISHING TO SPEAK, IN FAVOR. WHILE HE APPROACHES, A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPI, BUT IN FAVOR. THAT INCLUDES AUSTIN SIMMS, DAVID ESCOT, RYAN FOLDER, JAMES SMITH, MIKE MCGINNIS, PHILLIP MEYERS, AND KIMBERLY PASSAGE. WELCOME MR. COOK.

MAYOR, COUNCIL. MY NAME IS TOM COOK. I'M A DIRECTOR AND OFFICER OF SAVE TOWN LAKE, AUSTINITES FOR RESPONSIBLE DEVELOPMENT. SAVE TOWN LAKE IS A RELATIVELY NEW ORGANIZATION THAT HAS THE ENDORSEMENT OF OVER 60 NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS. SAVE TOWN LAKE IS

APPROACHING 3,0003,000 SIGNATURES OF APPROACH FOR ITS EFFORTS FOR RESPONSIBLE DEVELOPMENT OF THE TOWN LAKE CORRIDOR. I'M HERE IN SUPPORT OF THE PROPOSED PROJECT. THIS DEVELOPMENT SHOWS THE COMMUNITY THAT RESPONSIBLE AND ECONOMICALLY VIABLE PROJECTS ARE VIABLE. WE WITH COMMEND THE DEVELOPER AND THE OWNER FOR STAYING WITHIN THE LIMITS OUTLINED IN THE 1986 WATERFRONT OVERLAY, BE INCLUDING HEIGHT LIMITATIONS. THANK YOU, PERRY. I'VE HANDED OUT SOMETHING WHERE WE SUPPORTED THIS BEFORE PLANNING COMMISSION, AND THAT LETTER IS BEING PASSED DOWN FROM BREWSTER. THANKS AGAIN AND THANKS AGAIN PERRY.

Mayor Wynn: THANK YOU FOR YOUR WORK. SO COUNCIL, THAT'S ALL THE FOLKS WHO HAVE SIGNED UP IN FAVOR OF THIS ZONING CASE. THERE ARE A HANDFUL OF FOLKS HERE IN OPPOSITION. WE'LL HEAR FROM THEM NEKTS. WE'LL BEGIN WITH SCOTT TRAINER WHO SIGNED UP WISHING TO SPEAK IN OPPOSITION. SCOTT TRAINER. TO BE FOLLOWED BY LORI WRIGHT. LORI WRIGHT SIGNED UP WISHING TO SPEAK AGAINST. AS ABOUT ALLEN RIKLER. DO YOU CARE TO ADDRESS US? THIS WOULD BE THE TIME TO SPEAK.

[INAUDIBLE - NO MIC].

Mayor Wynn: THEN PLEASE APPROACH THE PODIUM. AND IF SCOTT TRAINER IS HERE, HE TOO CAN ADDRESS US NOW. YOU HAVE UP TO THREE MINUTES AND WILL BE FOLLOWED BY ALLEN. COMAMENT GOOD EVENING, COUNCIL AND MAYOR WYNN. MY NAME IS LORI WRIGHT AND I'M A FIVE-YEAR RESIDENT OF THE RV PARK. BUT I AM NOT JUST HERE REPRESENTING PECAN GROVE, I'M HERE REPRESENTING THE COMMUNITY OF ALL THE RV PARKS ON BARTON SPRINGS. I JUST WANT TO TELL YOU A BRIEF STORY THAT HAPPENED TO ME LAST WEEK. I FOUND MYSELF ON TUESDAY UNABLE TO BREATHE. I CALLED MY NEIGHBOR. SHE WAS AT WORK. SHE RUSHED TO MY AID AT MY WORK, PICKED ME UP, TOOK ME TO THE EMERGENCY ROOM, STAYED WITH ME FOR FIVE HOURS, WENT AND GOT ANOTHER NEIGHBOR, PICKED HER UP, THEY WENT AND GOT MY CAR AND THEN THEY GOT A THIRD NEIGHBOR TO GO GET MY DOG FROM THE VET. THAT, COUNCIL, IS THE COMMUNITY

THAT I LIVE IN. I VALUE CHALLENGE YOU TO FIND THREE PEOPLE ON YOUR BLOCK THAT YOU CAN ENTRUST WITH THE SAME TYPE OF INTIMACY THAT I SHARE WITH MINE. BECAUSE WE ARE A COMMUNITY. WE ARE NOT PROPERTY OWNERS, BUT WE HAVE BEEN THERE FOR 20 YEARS, SOME OF US. THE RV PARKS HAVE BEEN THERE FOR 60 PLUS AND WE HAVE BEEN THE CARETAKERS OF THAT LAND FOR A LONG, LONG TIME. WE DO NOT TAKE THAT RESPONSIBILITY LIGHTLY. I'VE HEARD A LOT TODAY ABOUT THE SUPPORT FROM THE COMMUNITY. I LOOK AT THE ZILKER NEIGHBORHOOD ASSOCIATION AND AT ONE TIME WE WERE ALIGNED TOGETHER, BUT I HAVE REALIZED VERY QUICKLY THAT IT IS ABOUT THE HAVE'S AND THE HAVE NOT'S. THE HAVE'S ARE THE PROPERTY OWNERS WHO LIVE ON TOP OF THE HILL. THE HAVE NOT'S ARE US WHO LIVE IN MERE RV'S. HOWEVER, BE I'LL BET NOT ONE OF THOSE HOMEOWNERS CAN REALLY TRUST TO LEAVE THEIR DOOR UNLOCKED ALL DAY AS I CAN BECAUSE MY PLACE IS ALWAYS WATCHED BY THE LOVING EYES OF MY NEIGHBORS. SO SO WE'VE KIND OF BEEN SOLD DOWN THE RIVER BY THE ZILKER NEIGHBORHOOD ASSOCIATION, I'M SORRY TO SAY. I'M NOT A SMART WOMAN. I DON'T CLAIM TO BE BE THE MOST INTELLIGENT OR THE MOST WELL EDUCATED, BUT I DON'T GET IT. ARE WE SO WILLING TO ALLOW MR. INGLE OR WHOEVER TO TURN SO MUCH OF A PROFIT -- BECAUSE HE HAS OTHER VERY SUCCESSFUL BUSINESSES -- AT THE COST NOW OF SUSTAINED AFFORDABLE HOUSING? I WORK DOWNTOWN, MAYOR WYNN, AND I KNOW ONE OF YOUR VISIONS IS TO HAVE US HAVE MORE AFFORDABLE HOUSING IN THE DOWNTOWN AREA FOR THOSE PEOPLE WHO QUORWORK DOWNTOWN. I AM AN ALCOHOL AND DRUG COUNSELOR AND I AM PAID ABOUT AS MUCH AS AN EXPERIENCED BAG BOY. I NEVER, EVER WILL BE ABLE TO AFFORD TO LIVE IN MR. INGLE'S PROPERTY. I AM RESIGNED TO THAT. IT IS A PROFKSPROFESSION THAT I CHOSE. HE'S GOING TO PUT A LOT OF MONEY IN AFFORDABLE HOUSING FUND. WHAT DOES THAT MEAN? WHAT DOES THAT MEAN? NO ONE'S TOLD ME. AND I LIVE NEXT DOOR. I'M THE NEIGHBOR, NOT THE PEOPLE ON THE HILL. [ BUZZER SOUNDS ] I BEG OF YOU TO NOT PASS THIS ORDINANCE. REMEMBER THAT YOUR DUTY IS ALSO TO PROTECT THE IDENTITY OF THIS COMMUNITY, AND WE ARE TALKING ABOUT

SOME VERY SUBSTANTIAL ICONS IN THE AUSTIN AREA. KEEP AUSTIN WEIRD. WHAT'S SO WEIRD ABOUT A CON -- WHAT'S SO WEIRD ABOUT A CONDO? H. HAD

Mayor Wynn: THANK YOU. ALLEN RIKLER? AND YOU WILL BE FOLLOWED BY KATHY SHOEN. APPROXIMATE

FIRST I'D LIKE TO JUST MAKE A STATEMENT ABOUT THE UNCLE BILLY'S AND JAVA. THOSE TWO BUSINESSES ARE OWNED BY ONE OF THE DEVELOPERS. SO OF COURSE THERE'S A REAL REASON NOT TO WANT TO SEE THOSE BUSINESSES DISAPPEAR. MY WIFE AND I HAVE RENTED SPACE AT PECAN GROVE RV PARK FOR THE PAST 12 YEARS. THIS PARK IS ADJACENT TO THE DEVELOPMENT THAT'S GOING UP. ARE WILL ARE ARE R. ARETHERE ARE APPROXIMATELY 120 RENTAL SPACES BETWEEN THIS DEVELOPMENT GOING UP, NOT THE PARK THAT'S GOING TO DISAPPEAR DURING THIS DEVELOPMENT, BUT THE ONE FURTHER DOWN TOWARD ZILKER AND THE ONE RIGHT ALONG THE CONSTRUCTION LINE. THESE SPACES ARE RENTED BY PEOPLE FROM ALL OVER THE WORLD WHO HAVE COME TO AUSTIN FOR VARIOUS REASONS. EVERY MAJOR EVENT THAT GOES ON IN AUSTIN HAS PARTICIPANTS STAYING AT THESE PARKS DURING THE EVENT AND SPENDING MONEY IN THE DOWNTOWN AREA. SOME STAY FOR A DAY AND OTHERWISE LONGER. THE PARKS ARE FULLY UTILIZED AND A WAITING LIST FOR LONG-TERM SITES USUALLY HAVE A HIGH LEVEL OF OCCUPANCY ON THE SHORT-TERM SITES. THESE PARKS HAVE SERVED THIS CITY, STATE AND COUNTRY FOR OVER 60 YEARS. AND ARE AN ONGOING, TAX PAYING BUSINESS. THEY PROVIDE AFFORDABLE HOUSING FOR BOTH RETIREES AND OTHER PEOPLE OF MODEST INCOME AND ALLOW PENAL TO AFFORD TO WORK AND LIVE IN THE DOWNTOWN METRO AREA. THEY ARE ALSO SOME OF THE MOST UNIQUE RV PARKS IN THIS COUNTRY. MY WIFE AND I ARE FULL-TIME RVERS. AFTER 30 YEARS OF WORKING FOR VARIOUS LARGE, MULTIBILLION DOLLAR CORPORATIONS IN THIS COUNTRY, WE RETIRED AND HIT THE ROAD. THRSH APPROXIMATELY ONE AND A HALF MILLION FULL-TIMERS AND OVER 10 MILLION PART-TIME RVERS AND MORE TO COME FROM WHAT WE HEAR. IF THESE TWO PARKS HAVE ANY CHANCE OF REMAINING AS A VIABLE BUSINESS, CITY PLANNERS ARE GOING TO HAVE TO FIND A

WAY TO EXEMPT THESE LANDS FROM CONTINUOUS TAX INFLATION. IF THERE'S ANY HOPE OF SAVING THESE TRULY ECLECTIC LOCATIONS AS THE PLANNING COMMISSION CHAIRPERSON PROFESSED, HE'S EAGER TO DO THE SAME NIGHT THAT THE COMMISSION VOTED UNANIMOUSLY IN FAVOR OF THE LATEST CONDO DEVELOPMENT IN THE ZILKER NEIGHBORHOOD. I WAS AT THE MEETING. THE CITY WILL HAVE TO FIND A WAY TO MANAGE ITS FINANCES WITHOUT FORCING THESE LAST TWO RV PARKS IN THE METRO DOWNTOWN AREA OF AUSTIN TO STAY IN BUSINESS. THANK YOU FOR YOUR TIME.

Mayor Wynn: THANK YOU. CATHY SHOEW IS OUR NEXT SPEAKER. AND IS NATHAN SCOTT HERE? KATHY, YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT.

THANK YOU. THANK Y'ALL FOR LETTING US BE HERE. AND I AM AN ALMOST 20 YEAR RESIDENT OF PECAN GROVE RV PARK. I'VE SEEN A LOT OF CHANGES BECAUSE I'VE LIVED HERE 51 YEARS. I HAVE SEVERAL THINGS TO SAY ABOUT BOTH EMOTIONALLY AND ABOUT WHAT MR. BLIZZARD SAID. I THINK THAT'S HIS NAME. HE WAS TALKING ABOUT HOW TOOMEY IS UNDERUTILIZED. THERE'S A SCHOOL THERE, THERE'S THE DILLO, AND THE TRAFFIC IS UNBELIEVABLE BACK THERE. WHEN HAVE YOU TO TAKE THAT ROAD IT'S ONLY A ONE-LANE ROAD ALMOST. I DON'T KNOW IF ANYONE HAS TAKEN THE TIME TO GO AND CHECK THAT OUT OR SEE HOW MANY CARS ACTUALLY GO ON THAT STREET EVERYDAY. ALSO THEY'RE TALKING ABOUT THEY WANT TO PRESERVE BE RESTAURANT ROW. THE TWO RESTAURANTS THEY'RE WANTING TO PRESERVE ARE OWNED BY THE PEOPLE OWNED BY THE PROPERTY TO BUILD THE CONDO. OF COURSE BE THEY WANT TO PRESERVE THOSE TWO RESTAURANTS. ALSO ABOUT CONNECTING BARTON SPRINGS AND TOOMEY WITH A WALK THROUGH. WELL, WE USED TO BE ACCESSIBLE BETWEEN BARTON SPRINGS AND TOOMEY. THEY FINALLY HAD TO CLOSE IT BECAUSE WE HAD SO MANY TRANSITS. ALL YOU'LL SEE A TRASH AND TRAN SI ENLTSENTS ON THAT STREET. ALSO, ZILKER PARK NEIGHBORHOOD ASSOCIATION DOESN'T HAVE TO LOOK AT A TALL BUILDING NEXT DOOR TO THEM. SO THEY REALLY HAVE NO INTEREST IN THAT AREA. THEY DON'T TRAVEL THAT ROAD EVERYDAY. I CAN GUARANTEE YOU THEY GO OUT

SOME OTHER WAY, ON LAMAR. ALSO YOU KNOW THEY'RE TALKING ABOUT PUTTING MONEY BACK INTO ZILKER PARK -- THEY'RE PUTTING MONEY INTO ZILKER PARK NEIGHBORHOOD ASSOCIATION FOR AFFORDABLE HOUSING IN THAT AISH. SORRY, MY CONTACT IS BOTHERING ME. WHERE IS THAT MONEY GOING? WE'RE SUPPOSED TO BE PART OF THE ZILKER PARK NEIGHBORHOOD ASSOCIATION. WHY ARE THEY WANTING TO TAKE THE AFFORDABLE HOUSING AWAY THERE TO PUT IT IN A FUND TO SEE IF THEY'LL PUT SOME MORE BACK INTO THE NEIGHBORHOOD? WE'RE ALREADY THERE, SO WHY TAKE IT AWAY? AND ALSO THE CITY FUND WE KEEP HEARING ABOUT. I WAS AT THE PLANNING COMMISSION FOR SIX HOURS AND THEY KEEP TALK BEING THIS CITY FUND FOR AFFORDABLE HOUSING? WHO IS GOING TO BENEFIT FROM THAT? NOT THE PEOPLE THAT YOU HAVE TO MOVE OUT OF THERE. THEY'RE ALREADY IN AFFORDABLE HOUSING. I CAN'T AFFORD TO LIVE IN THAT CONDO. MAYBE I COULD, BUT I DON'T WANT TO LIVE THAT WAY. I DON'T WANT TO LIVE DOOR TO DOOR TO PEOPLE THAT YOU DON'T EVEN KNOW. AND JUST LIKE SHE SAYS, OUR NEIGHBORS ARE LIKE FRIENDS AND FAMILY. I'LL BET HALF OF THIS CITY HASN'T EVER BEEN DOWN IN THERE AND SEE HOW WE TAKE CARE. WE HAVE MAINTAIN CURED LAWNS AND BEAUTIFUL FLOWERS. IT'S NOT TRANSIENTS, IT'S NOT TRASHY PEOPLE. IT IS PEOPLE THAT GET OUT THERE AND MAKE A LIVING AND SPEND MONEY IN THE CITY OF AUSTIN. AND THAT VOTE FOR ALL OF Y'ALL. HAD YOU NEED TO COME DOWN THERE AND SEE HOW WE LIVE AND WHY AUSTIN SHOULD KEEP THAT AREA THE WAY IT IS. AS SOON AS YOU TAKE IT UP, PUT A CONDO THERE, YOU CAN'T PUT IT BACK. IT'S GOING TO BE CONCRETE. WHAT HAPPENED TO ALL THAT GRASS AND THOSE TREES AND THOSE BIRDS AND THE SQUIRRELS? WE HAVE CRESCENT HERONS IN OUR PARK THAT MIGRATE THERE EVERY YEAR AND THEY'RE BEAUTIFUL. WHERE ARE THEY GOING TO GO? YOU CAN SIT OUTSIDE AT NIGHT AND -- YOU CAN SIT OUTSIDE AT NIGHT AND LISTEN TO ALL THE WILDLIFE LIKE YOU'RE IN THE COUNTRY. WHERE ELSE CAN YOU DO THAT IN THE CITY OF AUSTIN? YOU CAN'T. PEOPLE ALWAYS SAY WHY DO YOU LIVE THERE? AND THEN WHEN THEY COME DOWN TO VISIT, THEY REALIZE WHY WE LIVE THERE. IT'S BETTER THAN ANYWHERE YOU WILL FIND IN THIS TOWN, FROM THE VERY HIGH PRICED

AREA TO THE VERY LOW PRICED AREA. AND I WAS RAISED ON MANOR ROAD. I'VE BEEN IN SOME OF THE LOWEST AREAS OF TOWN. AND YOU KNOW, WHAT HAPPENED TO THE COUNCIL SUPPORT FOR THE LITTLE PEOPLE THAT VOTE FOR YOU TOO? NOT JUST FOR THE DEVELOPERS, MR. INGLE'S, HE HAS HIS RESTAURANT HERE IN THE CITY HALL BUILDING. LIKE I SAID BEFORE, BE IT'S KIND OF FUNNY. YES, MAYBE THEY HAD TO BID FOR IT, BUT IT JUST SEEMS FUNNY THAT THEY'RE HERE IN THIS BUILDING. AND THEY'RE THE ONLY ONES. YOU KNOW, I JUST BEG OF Y'ALL, BEFORE Y'ALL VOTE FOR THIS TO COME DOWN AND LOOK AT WHAT THE COUNCIL AND THESE DEVELOPERS WANT TO TAKE AWAY FROM THIS CITY. IT'S GORGEOUS. I WOULD BE BE GLAD TO TAKE Y'ALL ON A TOUR OF OUR PARK. IT'S WONDERFUL PEOPLE JUST LIKE YOU AND ME. AND ONCE YOU TAKE THAT AWAY, LIKE I SAID, YOU CAN'T PUT IT BACK. THE CITY NEEDS TO TAKE A HOLD OF IT AND PRESERVE ALL OF THE AREA, NOT JUST RIFT RESTAURANT ROW. THANK Y'ALL.

Mayor Wynn: THANK YOU MS. SHANE. EARLIER I CALLED THE NAME OF SCOTT TRAINER. WELCOME.

THANK YOU, MAYOR, MEMBERS OF THE COUNCIL. I'M SORRY TO BE LATE. I'LL BE BRIEF. I LOOK BACK AND I'VE HAD A CHANCE TO TALK TO SEVERAL OF YOU INDIVIDUALLY. IT'S GOOD TO TALK TO YOU COLLECTIVELY. WHAT WOULD I FIND TO BE IMPORTANT TO BRING TO THIS PARTICULAR ITEM THAT NEEDS TO BE ADDRESSED IF I WAS A COUNCILMEMBER AND WANTED TO HEAR WHAT IMPORTANT? I THINK WHAT'S IMPORTANT IS THAT YOU HAVE A ROLE TO BOTH COMBINE DEVELOPMENT AS WELL AS PRESERVE THE CITY. THE PREVIOUS ZONING HAS LIMITED THE HEIGHT OF THIS AREA TO 60 FEET. I THINK THAT'S IMPORTANT TO REMEMBER. I THINK THAT THE DEVELOPMENTS THAT HAVE OCCURRED UP TO THIS POINT ALONG BRINK AND ALONG SOUTH LAMAR HAVE BEEN LIMITED TO 60 FEET. THERE HAS BEEN A CONSENSUS BETWEEN NEIGHBORHOODS AND CITY COUNCIL IN A COMBINED -- WHAT I WOULD CALL A COOPERATIVE MANNER TO HOLD FAST TO 60 FEET. WHY IS 60 FEET IMPORTANT TO THE RESIDENTS? BECAUSE 60 FEET IS THE EXISTING CANOPY THAT IS ALONG BARTON SPRINGS.

SO THE ENTRANCE TO THE PARK, THE ENTRANCE TO HADBARTON SPRINGS WILL BE LEFT IN THE CURRENT CONDITION OF 60 FEET AND NOT HAVE AN OVERDEVELOPMENT THAT STANDS ABOVE THE WITH WITH THE NATURAL CANOPY. THIS SETS A PRECEDENCE FOR THE REST OF THE DEVELOPMENT ALONG THIS AREA THAT IS GOING TO BE REDEVELOPED. YOU HAVE LIMITED DEVELOPMENT TO THIS POINT WITH THE BRIDGE, WITH MAGAZINE NOEL I CAN'T, WITH THE OLD GLASS COMPANY, WITH THE PROJECT RIGHT AT BARTON SPRINGS TO 60 FEET. BY MAINTAINING 60 FEET AS A HEIGHT LIMIT, YOU ARE CONSISTENT WITH WHAT YOU'VE APPROVED. YOU ARE CONSISTENT IN THE FUTURE FOR THE REMAINDER OF THE DEVELOPMENT TO OCCUR. SUCH THAT THERE WON'T BE ANY ARGUMENTS, WELL, YOU GAVE THEM 75, WHY CAN'T YOU GIVE US 100? NOW, WE WERE TOLD -- I'M A RESIDENT OF PARTICULAR CONCERN, I WAS BROUGHT IN MY INGLE AND HE TOLD ME I SHOULD BE LUCKY BECAUSE THEY WEREN'T GOING TO REQUEST 120. I WAS ALSO TOLD THAT IF THEY DIDN'T GET THE 75, THEY MIGHT ASK FOR MORE. I CALL THAT A THREAT. MORE IMPORTANTLY, I THINK THAT YOU HAVE AN OBLIGATION TO -- BOTH TO ALLOW DEVELOPMENT TO OCCUR BECAUSE THEY'RE PROPERTY OWNERS AND AN OBLIGATION TO THE RESIDENTS. YOU HAVE BEEN CONSISTENTLY STAYING AT 60. THAT'S WHAT'S ON THE ZONING. I SUGGEST THAT YOU PUT ON YOUR VOTE TO MAINTAIN A HEIGHT LIMIT OF 60 FEET. THANK YOU.

Mayor Wynn: THANK YOU, MR. TRAINER. LET'S SEE, COUNCIL, I BELIEVE THAT'S ALL THE FOLK WHO HAVE SIGNED UP WISHING TO SPEAK IN OPPOSITION. AT THIS TIME WE'LL HAVE A THREE-MINUTE REBUTTAL FROM THE AGENT. WELCOME BACK MR. BLIZZARD.

I DON'T KNOW IF THAT POWERPOINT IS STILL ACTIVE, BUT I WANTED TO GO TO ONE OF THE SLIDES THERE SO WE CAN BE CLEAR ABOUT WHERE THIS IS LOCATE AND WHERE IT'S NOT. MANY PEOPLE BELIEVE THAT THIS AREA IS ONE TRAILER PARK, AND IT IS ACTUALLY THREE SEPARATE BUSINESSES. THIS IS THE SMALLEST OF THEM. THERE IS ONLY 23 TRAILERS. AT THE VERY BACK OF AUSTIN JAVA'S PARKING LOT, BETWEEN THERE AND TOOMEY ROAD. AS YOU CAN SEE JUST TO THE EAST, THERE ARE WELL OVER 100

TRAILERS. THAT'S THE PECAN GROVE RV PARK. IT IS NOT PART OF INPART OF THIS ZONING REQUEST. THE PEOPLE HERE WHO ARE OPPOSING IT TODAY DO NOT LIVE IN THE SHADY GROVE TRAILER PARK, THEY LIVE IN THE PECAN GROVE TRAILER PARK. IT'S NOT PART OF THIS ZONING REQUEST. IT HAS NO IMPACT ON THE FUTURE DEVELOPMENT OF THEIR PROPERTY. WE HAVEN'T EVEN BEEN ABLE TO GET IN TOUCH WITH THE OWNER OF THAT PROPERTY. AND I THINK IT SAYS A LOT THAT THERE AREN'T PEOPLE DOWN HERE TONIGHT FROM THE SHADY GROVE RV PARK THAT IS IMPACTED BY THIS BECAUSE THEY HAVE BEEN TREATED VERY WELL BY THE PREVIOUS OWNER -- THE CURRENT OWNER, AND BY MR. INGLE AND THEY HAVE BEEN GIVEN ARCHL NOTICE AMPLE NOTICE OF THIS. THEY ARE GOING TO BE GIVEN ASSISTANCE IN MOVING IF NECESSARY. THEY HAVE BEEN -- THEY'RE GOING TO BE GIVEN AN ADDITIONAL SIX MONTHS OF NOTICE BEFORE CONSTRUCTION STARTS. AND NONE OF THEM ARE DOWN HERE OPPOSING IT. AND I DON'T KNOW WHY CONDO -- PEOPLE WHO LIVE IN CONDOS CAN'T BE GOOD NEIGHBORS TO EACH OTHER AS WELL AND ALSO BE BE GOOD NEIGHBORS TO TRAILER PARK. THAT LAND, IT'S OUR UNDERSTANDING THAT THE PERSON WHO OWNS THAT LAND HAS NO PLANS FOR THE IMMEDIATE FUTURE TO DEVELOP THAT PROPERTY. AS FAR AS WHETHER IT SHOULD BE 60 FEET OR 75 FEET, THIS COULD BE DWOND. THIS LAND IS FOR SALE, THE TRAILER PARK IS CLOSING, SO WHETHER THIS ZONING GETS APPROVED OR NOT, SOMEONE'S GOING TO DO SOMETHING DIFFERENT WITH THAT SITE. THEY COULD BUILD UP TO 60 FEET, AS MR. TRAINER RECOMMENDS, BUT THEY CAN DO IT WITHOUT PROVIDING PEDESTRIAN ACCESS, THEY CAN DO IT WITHOUT DOING -- THEY CAN DO IT UNDER THE CURRENT ZONING AT CS THAT WOULD BE THREE TO FOUR TIMES THE AMOUNT OF TRAFFIC. SOME OF IT GOING ON BARTON SPRINGS AND TOOMEY. THAT WOULD NOT DO GREEN BUILDING. THAT WOULD NOT DO PEDESTRIAN ACCESS, THAT WOULD NOT BE MAKING A SIGNIFICANT CONTRIBUTION TO AFFORDABLE HOUSING. SO YES, IT COULD BE BUILT UNDER 60 FEET OF CS TODAY. WE THINK THAT THIS PLAN IS SUPERIOR TO THAT. AND IN SOME WAYS IT'S ACTUALLY A DOWN-ZONING OF THIS PROPERTY. SO WE BELIEVE THAT THE ZONING STANDS ON ITS MERITS. WE

BELIEVE IT'S A GOOD QUALITY PROJECT AND THAT IT DOES PROVIDE A BUNCH OF -- A LARGE AMOUNT OF COMMUNITY BENEFITS THAT COULD -- THAT WE MIGHT NOT GET UNDER THE CURRENT ZONING. THANK YOU VERY MUCH FOR YOUR TIME. I'M OPEN FOR ANY QUESTIONS, TOO.

Mayor Wynn: THANK YOU. QUESTIONS FOR THE AGENT OR APPLICANT? COUNCILMEMBER MCCRACKEN.

McCracken: MR. BLIZZARD, COULD YOU GIVE ME AGAIN THE TRAFFIC COUNT ON THIS DEVELOPMENT?

I DON'T HAVE IT IN FRONT OF ME, BUT I THINK IT'S 1400 TRIPS.

McCracken: AND THAT --

AND THAT'S A VERY ROUGH ESTIMATE THAT DOESN'T TAKE INTO ACCOUNT A VARIETY OF FACTORS OF INTERNAL CAPTURE AND THE TYPES OF PEDESTRIAN TRIPS THAT WOULD BE HAPPENING HERE RATHER THAN CAR TRINZ AND THOSE SORTS OF REDUCTIONS THAT WE WOULD PROBABLY GET IF WE WERE DOING A FULL BLOWN TIA.

McCracken: I'LL TALK MORE ABOUT THIS IN A SECOND, BUT THIS IS AN EXAMPLE OF THIS INFILL DEVELOPMENT SUCH AS IS BEFORE US AND ADDITIONALLY THE MANCHACA, LAMAR VMU CASE LATER THIS EVENING HAVE INCREDIBLY LOW TRAFFIC NUMBERS, A FAST FOOD RESTAURANT PRODUCES - - ONE FAST FOOD DRIVE-THROUGH PRODUCES 7 HAD YOU CAR TRIPS A DAY. YOU HAVE THESE SIGNIFICANT INFILL DWOAMENTZ THAT ARE PRODUCING A THIRD OF THE DEVELOPMENT OF A SINGLE FAST FOOD PAD. AND IT GOES TO SHOW THAT IF YOU'RE SMART ABOUT THIS STUFF, THE CENTRAL TEXAS LAND USE PLAN K HAS SOME HUGE BENEFITS TO THE COMMUNITY, ONE OF WHICH IS LESS TRAFFIC. THANK YOU.

Mayor Wynn: FURTHER QUESTIONS, BE COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: I WAS GOING TO SAY IT IS A SUPERIOR DEVELOPMENT AND YOU'VE DONE A GOOD JOB OF

ADDRESSING MOST OF THE CONCERNS THAT PEOPLE WOULD HAVE SURROUNDING COMPLIANCE WITH THE TOWN LAKE OVERLAY, COMPLIANCE WITH NEIGHBORHOOD COMPATIBILITY, AND I APPRECIATE YOUR WILLINGNESS TO ADDRESS THE GREEN BUILDING ASPECT OF IT. AND SINCE WE PASSED THE CLIMATE PROTECTION PLAN A FEW MONTHS AGO, WE'VE HAD A NUMBER OF PRONGS THAT HAVE COME THROUGH AND COMMITTED TO A TWO-STAR GREEN BUILDING LEVEL. SO PROJECTS THAT WERE MUCH MORE COMPLEX THAN THIS, SUCH AS A DOMAIN AND LAKE SHORE, SO I THINK THAT SHOULD BE YOUR GOAL AND I LOOK FORWARD TO HEARING WHAT YOU COME UP WITH. AND WITH THAT I WOULD LIKE TO MAKE A MOTION TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL TO CLOSE THE PUBLIC HEARING AND APPROVE ITEM NUMBER 50 ON FIRST READING ONLY AS PROPOSED. SECONDED BY COUNCILMEMBER MARTINEZ. FURTHER COMMENTS? COUNCILMEMBER MCCRACKEN.

McCracken: I WANT TO SPEAK A LITTLE BIT MORE TO THE LAND USE ISSUES. WE HAVE TWO PRETTY IMPORTANT ZONING CASES TONIGHT IN FRONT OF US THAT ARE ABOUT IMPLEMENTING ENVISION CENTRAL TEXAS AND THE BENEFITS IT TO THE COMMUNITY. THIS IS THE FIRST ONE AND WE'LL SEE THE SECOND ONE LATER THIS EVENING. WHAT WE HAVE SEEN IS SOMETHING THAT MAKES SENSE ONCE YOU THINK ABOUT IT, AND THAT IS FOR MOST PEOPLE IN YOUR DAY-TO-DAY LIFE -- IN MY NEIGHBORHOOD IF I WANT TO GO TO THE COFFEE SHOP I HAVE TO DRIVE TO IT AND IF I HAVE TO GET MY MAIL I DRIVE THERE TOO. AND IF I HAVE TO GO TO THE -- TO GO TO THE GROCERY STORE I HAVE TO DRIVE THERE TOO. AND IF I WANT TO GO TO THE PARK I HAVE TO DRIVE THERE TOO AND THEY'RE ALL WITHIN ABOUT TWO MILES OF EACH OTHER. BUT IF YOU LAY YOUR COMMUNITIES OUT WRONG, YOU HAVE A LOT OF INTERNAL TRAFFIC THAT REALLY MAKES IT A LOT WORSE. THAT'S WHY FAST FOOD RESTAURANTS AND BANK DRIVE-THROUGH BUILDINGS PRODUCE INCREDIBLE AMOUNTS OF TRAFFIC FOR THEIR SIZE. WHEREAS LIKE THE SPRING AND THE BUILDINGS THAT ARE PRODUCING SUCH LITTLE TRAFFIC THEY DIDN'T EVEN NEED TRAFFIC IMPACT ANALYSIS. THAT'S

AN EXAMPLE THAT WHEN YOU HAVE THIS INFILL DEVELOPMENT DONE RIGHT, CONSISTENT WITH ENVISION CENTRAL TEXAS, YOU'RE PRODUCING LESS TRAFFIC BECAUSE YOU'RE GETTING SMARTER ABOUT YOUR LAND USE. IF YOU LIVE IN THESE PLACES LIKE WE HAVE BEFORE US TONIGHT, YOU DON'T HAVE TO DRIVE THROUGH EVERY YEAR AND YOU CAN KNOCK OUT A HUGE AMOUNT OF YOUR CAR TRIPS. IF YOU WORK DOWNTOWN YOU'RE GOING FROM A 10 OR 20-MILE DAILY COMMUTE TO A TWO OR THREE MILE DAILY COMMUTE. THIS SPEAKS TO WHAT IS REALLY -- WE'VE SEEN SOME EXCELLENT LEADERSHIP FROM THE AUSTIN NEIGHBORHOOD COUNCIL, JEFF JACK AND LAURA MORRISON IN PARTICULAR, BUT ALSO GREAT LEADERSHIP FROM YOUR DEVELOPMENT COMMUNITY IN ENACTING WHAT IS THE DEAL IN THIS COMMUNITY TO I BELIEVE PLEMENT ENVISION CENTRAL TEXAS, AND THAT IS WE'RE GOING TO PUT HIGH QUALITY MIXED USE AND HIGH QUALITY INFILL DENSITY ON THE CORRIDORS AND PROTECT THE SINGLE-FAMILY NEIGHBORHOODS WITH THE MACK McMANSION WORNS. WHAT WE HAVE HERE THIS EVENING IS A GOOD EXAMPLE OF THE LEADERSHIP IN THE NEIGHBORHOODS AND THE LEADERSHIP FROM THE DEVELOPMENT COMMUNITY COMING TOGETHER AND STICKING TO THE DEAL, AND WE'RE SEEING SOME GREAT BENEFITS TO OUR COMMUNITY AS A RESULT OF THIS. COMPARE 1400 CAR TRIPS TO THE 20,000 PLUS CAR TRIPS THAT THE POOR FOLKS AROUND NORTH CROSS ARE GOING TO EXPERIENCE. THAT'S-- OR IF YOU CAN GET A SINGLE WALGREEN'S OR CVS DRIVE THROUGH OR A FAST FOOD DRIVE THROUGH WHERE YOU GET 7,000 PLUS CAR TRIPS A DAY WHEN YOU COULD HAVE SOMETHING THAT YOU COULD WALK FOR MOST OF YOUR DAILY ERRANDS. I THINK COUNCILMEMBER MARTINEZ SPOKE VERY ELOQUENTLY EARLIER TODAY ABOUT THE BENEFITS TO THE COMMUNITY OF THE DIAL THAT WE HAVE -- THE DEAL THAT WE HAVE BETWEEN THE NEIGHBORHOODS AND THE DEVELOPMENT COMMUNITY, AND THIS IS A GREAT EXAMPLE THIS EVENING OF THE PROGRESS WE'RE MAKING IN THE CITY.

Mayor Wynn: THANK YOU, COUNCILMEMBER.  
COUNCILMEMBER KIM.

Kim: I THINK THIS IS GOING TO BE A GOOD PROJECT. THEY'RE

NOT ASKING MUCH IN TERMS OF THE INCREASING THE HEIGHT. I HAVEN'T HEARD ANY CONCERNS FROM THE RESIDENTS WHO ACTUALLY ARE AT SHADY GROVE. AND I APPRECIATE THE EFFORTS OF THE DEVELOPER TO WORK WITH THE RESIDENTS THERE AND TO ALSO MAKE SURE THAT EVERYBODY KNOWS WHAT'S PLAND FOR THIS DEVELOPMENT. ONE OTHER DEVELOPMENT THAT I THINK THE WHOLE NEIGHBORHOOD IS GOING TO BENEFIT FROM IS THE TRAIL. JUST SO YOU KNOW, I'M WORKING ON A PROJECT TO FUND RAISE FOR A PLAYSCAPE ON BUTLER SHORES THAT WILL HELP NOT ONLY PEOPLE FROM DOWNTOWN AND THE CHILDREN THAT WILL BE THERE, BUT ALSO BE OF BENEFIT TO THOSE IN THE ZILKER NEIGHBORHOOD AND BOULDIN CREEK. THAT'S ONE OTHER THING THAT WILL HELP IS HAVING THAT TRAIL ACCESS TO THAT AS PARENTS WITH STROLLERS AND YOUNG KIDS DON'T HAVE TO CROSS THE STREET AND GO EAST OR WEST TO BARTON SPRINGS AND LOOK FOR ACCESS TO THAT PARK, BUTLER SHORES AND TO THE PLAYSCAPE THAT I'M PLANNING TO PUT THERE FOR EVERYONE. THANKS.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? WE HAVE A MOTION AND A SECOND ON THE TABLE TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. I WOULD LIKE TO ADD THAT I DO APPRECIATE THE ACKNOWLEDGMENT AND THE LIKELY WORK TOWARDS OWSH GREEN BUILDING AND SOME SIGNIFICANT ENERGY EFFICIENCY LEVELS WITH WITH THIS PROJECT AS THEY CONTINUE THE ANALYSIS PRIOR TO SECOND AND THIRD READING. ALSO, THE NODS TOWARDS OUR AFFORDABLE HOUSING CHAL CHECKCHALLENGEHERE IN THIS TOWN. IN THIS CASE I THINK THE OFFER IS TO SOME DEGREE A CONTRIBUTION TO AN AFFORDABLE HOUSING FUND THAT WE HAVE HERE IN THE CITY THAT WE ARE DESPERATELY TRYING TO BE AS JUDICIOUS AS WE CAN TO TRY TO DELIVER AS MUCH AFFORDABILITY AS WE CAN AT A TIME WHEN WHAT THE OVERANCHING ISSUE IS, AND MR. BLIZZARD BROUGHT IT UP EARLY IN HIS PRESENTATION, HE MENTIONED ENVISION CENTRAL TEXAS, THAT WE FACE IN AUSTIN IS THAT THERE ARE GOING TO BE HUNDREDS OF THOUSANDS OF ADDITIONAL CITIZENS LIVING IN OUR CITY OVER THE NEXT GENERATION. AND WE HAVE TO FIGURE

OUT WHERE WE ARE GOING TO HOUSE THEM. AND THE WAY THAT WE CAN ADDRESS A SERIES OF CHALLENGE THAT WE HAVE IS A BIG URBANIZING, 21st CENTURY AMERICAN CITY, IS WE HAVE TO GET A LOT MORE PEOPLE LIVING A LOT CLOSER TO WHERE THEY WORK, WHERE THEY SHOP, WHERE THEY PLAY, WHERE THEY GO TO SCHOOL, WHERE THEY WORSHIP, IN ORDER TO HELP ON ENERGY CONSUMPTION, ON WATER CONSUMPTION, ON VEHICLE MILE TRAVELED PER CAPITA, ON AIR QUALITY, ON WATER QUALITY, ON WALKABILITY, AND CITIZEN FITNESS. AND THERE'S A BROAD RANGE OF CHALLENGES THAT WE'RE TRYING TO DEAL WITH AS THE FASTEST GROWING BIG CITY IN THIS COUNTRY. THERE ARE SOME RAW STATS. YOU'VE HEARD ME SAY THIS BEFORE THAT THE STATE OF TEXAS THIS YEAR WILL GROW BY MORE NET NEW RESIDENTS, ABOUT 500,000. TEXAS WILL GROW BY MORE NET NEW RESIDENTS THIS YEAR THAN EVEN LIVE IN SEVEN STATES. MORE PEOPLE -- THERE WILL BE MORE TEXANS THIS YEAR THAN LIVE IN VERMONT OR NORTH DAKOTA OR ALASKA OR WYOMING OR MONTANA OR SOUTH DAKOTA OR NEW HAMPSHIRE. AND CALL ME RADICAL, I HAPPEN TO BELIEVE THAT AUSTIN IS THE MOST ATTRACTIVE CITY IN THIS STATE. AND THE QUESTION IS NO LONGER IF WE GROW, IT'S HOW WE GROW. AND IT'S PROJECTS LIKE THIS AND SEVERAL OTHERS IN A POSITIVE WAY THAT HAVE COME ACROSS THIS DAIS JUST IN THE LAST FEW MONTHS THAT WILL ALLOW US TO START TO HAVE AN IMPACT ON HAVING FAR MORE PEOPLE LIVING A LOT CLOSER TO WHERE THEY WORK, PLAY, SHOP, GO TO SCHOOL, WORSHIP, RECREATE. AND YES, THAT CREATES ADDITIONAL CHALLENGE. AFFORDABILITY BE IS PARAMOUNT TO THAT. BUT WITH THE OPPORTUNITY, A LITTLE BIT OF FINANCIAL WORK, ALL THIS ISN'T ABOUT THE CITY'S FINANCIAL BOTTOM LINE, IT'S ABOUT THE HOLISTIC PICTURE OF HOW WE GROW. AND TO THE EXTENT THAT THERE IS ADDITIONAL INFUSION ECONOMICALLY INTO OUR ABILITY TO VERY JUDICIOUSLY INVEST IN ELEMENTS OF AFFORDABILITY, WE'RE GOING TO DO THAT. I WAS VERY PROUD THAT THE CITIZENRY LAST NOVEMBER FOR THE FIRST TIME IN THE STATE OF TEXAS HISTORY AUSTIN VOTERS APPROVED GENERAL OBLIGATION BONDS. THAT IS, WE VOTED TO RAISE OUR OWN PROPERTY TAXES IN ORDER TO CREATE A MODEST FUND, ABOUT 55-MILLION-DOLLAR FUND FOR US TO THEN ALSO CONTINUE

WORK ON TRYING TO INVEST LIKELY CO-INVEST WITH THE PRIVATE SECTOR TO GET LEVELS OF AFFORDABILITY IN AN APPROPRIATE WAY IN AS MANY PARTS OF THIS TOWN AS WE CAN DO IN THE APPROPRIATELY JUDICIOUS, FINANCIALLY ACCEPTABLE WAY. AND SO WE ALL FEEL THE HEART BURN ABOUT GROWTH, ABOUT CHANGING IN THE URBAN FABRIC OF THIS TOWN, BUT THE FACT OF THE MATTER IS WHEN YOU HAVE THAT MUCH LAND THAT IN THE CONSTRUCT OF HAVING A MORE YOUURBANE, MIXED USE CITY IS THAT DRAMATICALLY UNDERUTILIZED, DISBRUS A RESIDENT COUNT, THEN WE HAVE TO BE ACCEPTING OF THAT AND WORK TOWARDS THE BEST PROJECT WE CAN DO. WE'RE APPROVING THIS ON FIRST READING ONLY IS THE PROPOSAL. MY INSTINCT IS AND MY HOPE IS THERE'S ACTUALLY GOING TO BE IF NOT UPGRADES, A SIGNIFICANT AMOUNT OF ADDITIONAL INFORMATION ABOUT THIS PROJECT THAT WILL ALLOW US TO FRANKLY APPRECIATE IT EVEN MORE THAN WE ARE THIS AFTERNOON. SO I APPRECIATE EVERYBODY BE'S PATIENCE. THE INPUT ON THE PROJECT BOTH IN OPPOSITION AND IN SUPPORT. AND I WILL GLADLY CAST A YES VOTE. MR. GUERNSEY, DO YOU HAVE A COMMENT?

I WANTED TO CONFIRM THAT THE PLANNING COMMISSION RELIGIOUS THAT YOU HAVE RELIGIOUS FOR YOUR MOTION AND STAFF WILL WORK WITH THE LAW DEPARTMENT TO TRANSLATE PORTIONS OF THE AGREEMENT THAT WE CAN INTO AN ORDINANCE AND BRING THAT BACK TO YOU FOR SECOND AND THIRD READING.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL, JUST CONFIRMING, YOUR MOTION IS FOR PLANNING COMMISSION RECOMMENDATION?

Leffingwell: THAT'S CORRECT.

Mayor Wynn: AGAIN, MOTION AND A SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS. FIRST READING ONLY. THANK YOU, MR. GUERNSEY. SO COUNCIL, THAT TAKES US ALMOST TO OUR 5:30 BREAK FOR LIVE MUSIC AND PROCLAMATIONS. OUR LAST ZONING CASE

OF THE EVENING, ITEM NUMBER BE 53, HAS ABOUT 90 MINUTES' WORTH OF PUBLIC TESTIMONY. SO MY INSTINCT IS THAT -- MY SUGGESTION IS THAT WE DON'T BEGIN THAT CASE PRIOR TO OUR LIVE MUSIC AND PROCLAMATIONS BREAK. SO AT THIS TIME TECHNICALLY WE WILL RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AS THERE WON'T BE ANY CLOSED SESSION AGENDA ITEMS TO TAKE UP. WE'RE NOW IN RECESS. STAY TUNED FOR LIVE MUSIC AND PROCLAMATIONS.

EVENING, WE'RE GOING TO GET STARTED WITH OUR LIVE MUSIC FOR TODAY. IF YOU GUY WANT TO COME IN AND SIT DOWN, PLEASE FEEL FREE TO COME DOWN. THERE'S PLENTY OF SEATS AVAILABLE. I'M TAKING A PERSONAL PRIVILEGE IN ANNOUNCING TODAY'S BAND. USUALLY THE MAYOR DOES THIS, BUT I KIND OF ASKED IF I WILL DO THIS. FOR THOSE OF YOU WHO DON'T KNOW FIRST OF ALL, BE THIS IS MANEJA BETO. THEY'RE A LOCAL LATINO BAND HERE IN AUSTIN, BUT MY CHIEF OF STAFF, BOB BA GARZA PLAYS KEYBOARDS AND PERCUSSION FOR THEM. SO NOT ONLY IS HE WORKING HERE TODAY IN THE COUNCIL MEETING RKTS BUT WEES GOING TO PLAY FOR US LIVE MUSIC. SO WE HAVE TODAY MANEJA BETO. THEY HAVE A FIVE PIECE BAND THAT PERFORMS IN SPANISH. THEY HAVE PERFORMED IN FESTIVALS SUCH AS SOUTH BY SOUTHWEST AND AUSTIN CITY LIMITS. THEY HAVE OPENED FOR OTHER ARTISTS, SO PLEASE JOIN ME IN WELCOMING MANEJA BETO. [ APPLAUSE ] [ MUSIC PLAYING ] [ MUSIC PLAYING ] [ MUSIC PLAYING ] [ MUSIC PLAYING ] [ CHEERS AND APPLAUSE ]

Martinez: AND I GUESS HE SINGS TOO AS WELL AS PLAYS PERCUSSION AND KEYBOARDS. JUST SO YOU GUYS KNOW, ALEX IS USUALLY MAIN LEAD ON VOCALS, BUT HE CAME DOWN WITH LARYNGITIS YESTERDAY, SO BOBBY FILLED IN AND HE FILLED IN GREAT. I WANT TO READ A PROCLAMATION THAT SAYS, BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AS THE LIVE MUSIC CAPITOL OF THE WORLD, NOW THEREFORE I WILL WYNN, THE MAYOR OF CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM MAY 24TH, 2007, AS MANEJA BETO DAY

IN AUSTIN, TEXAS. [ CHEERS AND APPLAUSE ]. IF YOU TAKE A MINUTE AND INTRODUCE THE BAND AND TELL US WHERE WE CAN GO CHECK YOU GUYS OUT.

OVER TO MY FAR RIGHT IS ALEX CHAVEZ, OUR INJURED MEMBER.ON THE DRUMS IS PATRICK AND ON MY LEFT IS NELSON. WE ALSO HAVE A BASS PLAYER WHO IS MISSING IN ACTION. HIS NAME IS ALEC. YOU CAN FIND US AT [WWW.MANEJA.BETO.COM](http://WWW.MANEJA.BETO.COM) OR ON MY SPACE.

WHERE ARE YOU GUYS PLAYING LOCALLY?

NOT VERY SOON. WE JUST GOT BACK FROM CALIFORNIA, SO WE'RE JUST NOW TAKING A BREAK.

Martinez: CONGRATULATIONS. [ APPLAUSE ]

Mayor Wynn: ALL RIGHT. SO WHILE THE BAND BREAKS DOWN OVER THERE, JOE RAMOS AND I ARE INVITING A BUNCH OF GENERICALLY PUBLIC WORKS EMPLOYEES TO COME UP HERE AND HELP US PUT A FACE TO THE WORDS PUBLIC WORKS. STHAS, THEY'RE WORKING -- THAT IS, THEY'RE WORKING FOR YOU, THE PUBLIC. OKAY. SO SINCERELY, WHAT WE WANT TO DO IS HELP PUT A FACE TO OUR PUBLIC WORKS THAT ARE GOING ON AROUND TOWN. TECHNICALLY WE HAVE A PUBLIC WORKS DEPARTMENT, BUT MANY OF OUR DEPARTMENTS FIND THEIR MEN AND WOMEN OUT IN THE STREETS AND THE RIGHTS OF WAY, UP ON POLES, IN BUILDINGS WORKING FOR YOU THE PUBLIC. SO WE WANTED TO ACKNOWLEDGE THE DIFFERENT DEPARTMENTS. WE'RE GOING TO HEAR FROM FOLKS AND LET THEM TELL YOU WHAT IT IS THEY DO FOR YOU, THE PUBLIC. SO WHAT I'M DOING, TECHNICALLY I'M DECLARING THIS PUBLIC WORKS WEEK HERE IN AUSTIN. IT ACTUALLY COINCIDES WITH NATIONAL PUBLIC WORKS WEEK. I'LL READ A PROCLAMATION AND THEN JOE WILL COME SAY A FEW WORD AND I THINK WE'LL TRY TO PASS AROUND A BUNCH OF HAND-HELD MICS SO FOLKS CAN INTRODUCE THEMSELVES AND WHAT DEPARTMENT THEY'RE FROM AND WHAT THEY DO FOR YOU. THE PROCLAMATION READS: BE IT KNOWN THAT WHEREAS THE PUBLIC WORKS DEPARTMENT, THE AUSTIN WATER UTILITY, AUSTIN ENERGY AND THE DEPARTMENTS OF PARKS AND RECREATION, SOLID WASTE

SERVICES AND WATERSHED PROTECTION AND DEVELOPMENT REVIEW PROVIDE INFRASTRUCTURE AND SERVICES COMMONLY REFERRED TO AS PUBLIC WORKS. AND WHEREAS WE RECOGNIZE THE OUTSTANDING CONTRIBUTION OF THE EMPLOYEES IN THESE DEPARTMENTS TOWARDS MAINTAINING AND ENHANCING THE QUALITY OF LIFE IN OUR GREAT CITY. SO NOW THEREFORE I, WILL WYNN, MAYOR OF THE GREAT CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM THIS WEEK AS PUBLIC WORKS WEEK IN AUSTIN, TEXAS AND PLEASE JOIN ME IN CONGRATULATING THESE FINE MEN AND WOMEN WHO WORK FOR YOU, THE PUBLIC. [ APPLAUSE ] SO JOE, PLEASE.

THANK YOU, MAYOR WYNN. THE NATIONAL PUBLIC WORKS WEEK IS A CELEBRATION OF TENS OF THOUSANDS OF MEN AND WOMEN ACROSS NORTH AMERICA WHO PROVIDE AND MAINTAIN INFRASTRUCTURE AND SERVICES COLLECTIVELY KNOWN AS PUBLIC WORKS. IT IS OBSERVED EVERY YEAR DURING THE THIRD FULL WEEK OF MAY. TODAY WE HAVE REPRESENTATIVES FROM NOT ONLY THE PUBLIC WORK DEPARTMENT, BUT FROM THE AUSTIN WATER UTILITY, AUSTIN ENERGY, PARKS AND RECREATION DEPARTMENT, SOLID WASTE SERVICES DEPARTMENT, AND THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT. EMPLOYEES FROM THESE INFRASTRUCTURE DEPARTMENTS ARE UNSUNG HEROES. THEY WORK HARD AND ARE DEDICATED. THEY WORK 365 DAYS A WEEK, 24 HOURS A DAY TO ENSURE THAT THE CITY OPERATES AS IT SHOULD. WITHOUT THESE FOLKS OUR COMMUNITY WOULD BE A VERY DIFFERENT PLACE. AT THIS TIME I'D LIKE TO THANK THEM FOR THEIR EFFORTS AND HAVE THEM SPEAK INTO THE MICROPHONE, INTRODUCE THEMSELVES, SAY WHAT DEPARTMENT THEY WORK FOR AND WHO THEY REPRESENT AND WHAT THEY DO. THANK YOU. H.

MY NAME IS TROY. I WORK FOR THE PARKS BE AND RECREATION DEPARTMENT. I AM THE DIVISION MANAGER AND WE TAKE CARE OF INFRASTRUCTURE FOR PARKS AND FACILITIES.

MY NAME IS JUAN GONZALES, AUSTIN PARKS AND RECREATION. PLUMBING AND IRRIGATION DEPARTMENT OR

DIVISION. PLUMBER 1.

MY NAME IS TONY ARNOLD. I WORK FOR THE PLANNING AND FUND DIVISION OF THE PARKS AND RECREATION DEPARTMENT. AND WE HANDLE THE CAPITAL IMPROVEMENT PROGRAM.

MY NAME IS YORJ. I'M WITH THE PARKS AND RECREATION. I'M UNDER FACILITY MAINTENANCE OF OPERATIONS.

I'M STEWART STRAWM, ASSISTANT DIRECTOR FOR THE PARKS AND RECREATION DEPARTMENT. I'M INVOLVED IN BUYING AND BUILDING PARKS FOR ABOUT 25 YEARS.

I'M DANIEL. I'M THE ASSISTANT DIRECTOR OF SOLID WASTE SERVICES AND WE HELP TO KEEP THE COMMUNITY CLEAN AND IN COMPLIANCE WITH THE CODES.

MY NAME IS KEVIN JONES. I'M PART OF CONSTRUCTION INSPECTION.

CARLTON THOMAS WITH THE TRANSPORTATION DIVISION.

VERONICA GARZA. I WORK FOR SOLID WASTE SERVICES AT THE HOUSEHOLD HAZARDOUS WASTE FACILITY.

I'M DONALD HARDY. I WORK FOR SOLID SERVICES. I'M THE WASTE MANAGEMENT SERVICES FOR THE HOUSEHOLD HAZARDOUS WASTE FACILITY.

(INDISCERNIBLE). CHER.

RICARDO SOLIS WITH THE PARKS DEPARTMENT.

ROCKS 16 JACKSON. I'M THE DIVISION MANAGER OF THE FIELD DIVISION OF THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT.

GOOD AFTERNOON, LADIES AND GENTLEMEN. MY NAME IS (INDISCERNIBLE). I'M A LAND SURVEY FOR THE ENGINEERING SERVICES DIVISION, PUBLIC WORKS DEPARTMENT AND I PERFORM NUMEROUS TOPOGRAPHICAL SURVEYS

THROUGHOUT THE CITY OF AUSTIN.

MY NAME IS (INDISCERNIBLE). I'M A CIVIL ENGINEER. I WORK FOR ENGINEERING SERVICES DIVISION IN THE PUBLIC WORKS DEPARTMENT. WE DESIGN INFRASTRUCTURES FOR THE CITY.

MY NAME IS 6th LOISE DAUGHERTY AND I'M A PROJECT MANAGER IN THE PUBLIC WORKS DEPARTMENT AND I MANAGE CAPITAL IMPROVEMENT PROJECTS FOR A VARIETY OF OTHER DEPARTMENTS IN THE CITY.

MY NAME IS DAVID (INDISCERNIBLE). I'M A PROJECT MANAGER WITH PUBLIC WORKS, PROJECT MANAGEMENT DIVISION, AND WE BUILD YOUR INFRASTRUCTURE.

MY NAME'S SIMON ORTA AND I'M A CIP INSPECTOR, PUBLIC WORKS.

MY NAME IS DEBRA DIVEL. I'M A PROJECT MANAGER IN THE PUBLIC WORKS DEPARTMENT. I WORK ON THE CIP PROJECTS FOR THE AUSTIN WATER UTILITY AND I AM ALSO WORKING ON THE AUSTIN CLEAN WATER PROGRAM ROTATION LIST MANAGEMENT, MANAGER. I ALSO MANAGE 25 DESIGN FIRM FOR THAT ROTATION LIST.

MY NAME'S TONY KRAUSE, PROJECT MANAGER FOR THE PROJECT MANAGEMENT DIVISION OF PUBLIC WORKS AND I MANAGE CIP PROJECTS.

MY NAME IS THOMAS CASTRO. I WORK FOR STREET AND BRIDGE. WE DO REPAIR AND CURB AND GUTTERS.

I'M DAVID (INDISCERNIBLE) WITH STREET AND BRIDGE. WE TAKE CARE OF THE CONCRETE WORK.

I AM (INDISCERNIBLE). I'M THE DRIVER AND I WORK FOR STREET AND BRIDGE.

MY NAME IS DEION GARCIA AND I WORK FOR THE CITY OF AUSTIN, HEAVY EQUIPMENT OPERATOR, MAINTAIN ALL THE ROADWAYS IN AUSTIN.

I'M JOHNNIE (INDISCERNIBLE) WITH STREET AND BRIDGE. WE HELP TO MAINTAIN SAFE ROADWAYS.

I AM JAKE POOL TOVMENT THE MAYOR AND ALL OF YOU PRESENT, I'M PART OF THE SOLID WASTE SERVICES TEAM. WE QUITE NICELY, COLLECT GARBAGE, RECYCLING, RESIDENTIAL AND COMMERCIAL.

I'M ELTON RANDALL. I WORK FOR THE UTILITY (INDISCERNIBLE).

I'LL PHILLIP PRESSLER WITH THE PUBLIC WORKS DEPARTMENT. I DO CIP PROJECTS.

I'M DON ANDERSON. I'M A CREW LEADER WITH THE SOLID WASTE SERVICES LITTER ABATEMENT AND BUSH DEPARTMENT. WE'RE IN CHARGE OF PICKING UP THE BIG BRUSH OUT IN FRONT OF YOUR HOUSES WHEN YOU IS THE IT OUT.

MY NAME IS PAT WEBB. I WORK WITH THE PUBLIC WORKS DEPARTMENT. I OVERSEE SOME OF THE CIP DEPARTMENTS IN THE DOWNTOWN AREA AND THEN THE RESIDING AREAS.

HELLO, MY NAME IS JUST CONTINUE STEIN HOUR. I WORK IN THE REAL ESTATE SERVICES DIVISION AND I'M A REAL ESTATE APPRAISER AND I WORK WITH THIS WONDERFUL LADY RIGHT HERE.

I'M JUNE PLUMBER. I WORK IN REAL ESTATE FOR PUBLIC WORK. I'VE BEEN PURCHASING PARKLAND, OPEN SPACE, ENDANGERED SPECIES, LARGE UNDEVELOPED TRACTS FOR 20 YEARS FOR THE CITY.

HIM (INDISCERNIBLE) WORKING FOR CSD AND I DESIGN CIP PROJECTS.

JIM STEED, I'M IN PUBLIC WORKS AND PART OF THE CONSTRUCTION MANAGEMENT TEAM AT THE TREATMENT PLANTS.

AND I'M JOE RAMOS, ASSISTANT DIRECTOR WITH THE PUBLIC WORKS DEPARTMENT OVER REAL ESTATE, PROJECT

MANAGEMENT DIVISION CONSTRUCTION SERVICES,  
PROCUREMENT AND THE BIKE AND PED PROGRAM. THANK  
YOU.

Mayor Wynn: AND SHE'S TOBY FUTRELL, THE CITY MANAGER,  
WHO WILL SAY A FEW WORDS ABOUT HER GREAT  
EMPLOYEES. [ APPLAUSE ]

I DON'T THINK I ACTUALLY HAVE TO SAY MUCH. I THINK  
YOU'VE JUST SEEN IT ALL. YOU'VE SEEN A WIDE VARIETY OF  
THE KIND OF TASKS AND THING THAT THESE FOLKS DO YOU  
FOR YOU EACH AND EVERYDAY. I DON'T THINK ANYBODY IN  
THE CITY WORKS HARDER THAN THE FOLKS YOU SEE RIGHT  
HERE. LET'S GIVE THEM A ROUND OF APPLAUSE. [ APPLAUSE  
]

Mayor Wynn: OUR NEXT PROCLAMATION IS REGARDING BIKE  
MONTH, SO WE WILL HAVE SOME BIKE RIDERS COME DOWN  
AND JOIN US, I TRUST.

> OKAY. SO WHILE I HAVE JOE HERE, INCIDENT TO ALSO  
TAKE SOME LIBERTIES TO TALK ABOUT BICYCLING HERE IN  
AUSTIN. WE'RE ABOUT TO PRO CHAIM THIS NATIONAL BIKE  
MONTH AND WE'RE GOING TO HEAR ABOUT SOME  
ACCOLADES THAT AUSTIN HAS RECEIVED LATELY, BUT  
FUNDAMENTALLY I TRUST THAT YOU RECOGNIZE WE'RE NOT  
WHERE WE NEED TO BE WHEN IT COMES TO BICYCLE  
SAFETY IN THIS TOWN, THAT IS, FROM A PUBLIC WORK  
STANDPOINT, FROM AN INFRASTRUCTURE STANDPOINT,  
MORE LANE MILES, MORE LANE SEPARATION FROM CARS,  
BUT ALSO RAISING AWARENESS FOR US WHO RIDE BIKES  
OCCASIONALLY AND RAISING AWARENESS FOR MANY, MANY  
OF US WHO DRIVE FREQUENTLY ON THE SAME ROADS. WE  
HAVE A SIGNIFICANT TREAT SMARTS COMMITTEE FORMED.  
PROUD TO CO-CHAIR THAT WITH WITH LANCE ARMSTRONG.  
AND WE HAVE A LOT OF PEOPLE SPENDING A LOT OF TIME  
OVER THESE NEXT SIX TO NINE MONTHS TO COME UP WITH  
OUR LONG-TERM STRATEGY OF HOW WE MAKE SURE MORE  
PEOPLE WHO WANT TO CAN CYCLE IN THIS TOWN AND DO IT  
IN A SAFE WAY AND THAT WE AS COMMUTERS CAN RESPECT  
THAT AND SHARE THE ROAD. SO I CAN READ A  
PROCLAMATION REGARDING NATIONAL BIKE MONTH AND  
THEN JOE WILL COME UP AND TALK ABOUT HOW MANY OF

OUR DEPARTMENTS FUNDAMENTALLY LED BY THE BLIRK WORKS DEPARTMENT AND OUR PARKS AND RECREATION DEPARTMENT WILL BE SUPPORTING THE WORK OF THE COMMITTEE THAT WE HAVE ONGOING NOW. OKAY. SO THE PROCLAMATION READS: THE CITY OF AUSTIN ENCOURAGED BICYCLING AS A HEALTHY, POLLUTION-FREE FORM OF TRANSPORTATION THAT HELPS PRESERVE OUR QUALITY OF LIFE AND WHEREAS MAY IS DESIGNATED AS NATIONAL BIKE MONTH TO PROMOTE AND CELEBRATE THE JOYS AND BENEFITS OF BICYCLING FOR TRANSPORTATION AND RECREATION. WE ENCOURAGE MOTORISTS TO DRIVE EXTRA CAREFULLY WHILE THEY SHARE THE ROAD WITH CYCLISTS AND WHEREAS WE ARE PLEASED TO RECOGNIZE THE WORK OF THE CITY'S BICYCLE AND PEDESTRIAN PROGRAM. THE PERSONNEL HERE FOR HELPING AUSTIN TO ACHIEVE THE DESIGNATION AS A SILVER LEVEL BICYCLE FRIENDLY CITY BY THE LEAGUE OF AMERICAN BICYCLISTS. SO NOW THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HERE BY PROCLAIM THIS MONTH, MAY, 2007, AS NATIONAL BIKE MONTH IN AUSTIN AND ASK MR. JOE RAMOS TO SAY A FEW WORDS ABOUT WHAT WE HAVE GOING ON IN THIS TOWN AND RECOGNIZING THE ACCOLADES THAT WE'VE RECEIVED, BUT ALSO ACKNOWLEDGING THAT WE'RE NOT WHERE WE NEED TO BE. SO PLEASE JOIN ME IN WELCOMING BACK TO THE MIC, JOE RAMOS. [ APPLAUSE ]

THANK YOU, MAYOR WYNN. I'D ALSO LIKE TO RECOGNIZE THE AUSTIN CYCLING ASSOCIATION WHO IS UP HERE WITH US TODAY FOR COORDINATING THE BIKE TO WORK TODAY AND ALL THE BICYCLE ACTIVITIES AT THE LOCAL LEVEL. WE'RE VERY PROUD OF THE NEW DESIGNATION BY THE LEAGUE OF AMERICAN CYCLISTS, WHICH WAS FOUNDED IN 1980 NAMING AUSTIN AS A SILVER MEDAL BICYCLE FRIENDLY CITY. THE CITY WAS EVALUATED ON ENGINEERING, EDUCATION, ENFORCEMENT, EVALUATION AND PLANNING AND ENCOURAGE. OF CYCLING. EXAMPLES OF THIS INCLUDE IN 2006 THE CITY ALLOCATED TWO MILLION DOLLARS IN BOND FUNDS FOR BICYCLE INFRASTRUCTURE PROJECTS. BIKE SAFETY EDUCATION, WHICH WAS CONDUCTED BY THE AUSTIN CYCLING ASSOCIATION, THE STIES COMPREHENSIVE BIKE PLAN THAT IS CURRENTLY BEING UPDATED AND THE MULTIPLE BICYCLING EVENTS HELD IN AUSTIN EACH YEAR.

FINALLY I'D LIKE TO RECOGNIZE FOUR MEMBERS OF OUR STAFF THAT ARE PRESENT TODAY WITH OUR BICYCLE AND PEDESTRIAN PROGRAM FOR THEIR HARD WORK. THOSE FOUR STAFF MEMBERS ARE MIKE CURTIS, MONIQUE BODET, RICHARD MOWER AND ERIC (INDISCERNIBLE). THANK YOU. [ APPLAUSE ] CLER

PLEASE BE KIND TO CYCLISTS IS AN ORGANIZATION AND I'M PART OF AN ORGANIZATION WHOSE BHOAL WHOLE OBJECT BE ACTIVE IS TO SAVE LIVES AND PROMOTE AWARENESS AND EDUCATION. AND I'M HERE TO GIVE THIS TO MAYOR WYNN FOR HIS EFFORT TO HELP US WITH THE CAMPAIGN. [ APPLAUSE ]

Mayor Wynn: SPEAKING OF SAVING LIVES, WE NOW ARE GOING TO TALK ABOUT ALS NATIONAL ADVOCACY MONTH. I'M JOINED BY A NUMBER OF FOLKS HERE. NANCY WILL SPEAK AFTER I READ THE PROCLAMATION. AND I WILL SAY THAT ONE -- WHEN ONE WORK IN AN ORGANIZATION AS LARGE AS THE CITY OF AUSTIN, OVER 11,000 TOTAL EMPLOYEES NOW, YOU UNDERSTAND HOW PREVALENT ALS IS AND HOW -- UNFORTUNATELY HOW FREQUENTLY YOU FIND OR BECOME AWARE OF A CO-WORKER WHO MAY BE TRYING TO DEAL WITH ALS AND/OR CERTAINLY FAMILY MEMBERS WHO ARE TRYING TO HELP. AND SO VERY -- I'M HONORED TO READ THIS PROCLAMATION REGARDING ALS, NATIONAL ADVOCACY MONTH BEFORE WE HEAR FROM NANCY. SO THE PROCLAMATION READS: ALS OR LOU GEHRIG'S DISEASE IS A PROGRESSIVE DISEASE THAT ATTACKS NERVE CELLS IN THE BRAIN AND SPINAL CORD RESULTING IN MUSCLE WEAKNESS OR ATROPHY. LIFE EXPECTANCY FOR PEOPLE WITH ALS IS TWO TO FIVE YEARS AFTER DIAGNOSIS. IT OCCURS MOST OFTEN IN PEOPLE BETWEEN 40 AND 70 YEARS OF AGE. RECENT STUDIES INDICATE THAT THOSE SERVING IN THE MILITARY ARE AT INCREASED RISK OF CONTRACTING THE DISEASE. AND WHEREAS DURING MAY THE ALS ASSOCIATION LAUNCHES A SPECIAL CAMPAIGN TO RAISE AWARENESS OF THE DISEASE, TO LOBBY FOR INCREASED FUNDING TO FIND A CURE AND TO PROVIDE SUPPORT FOR THOSE WITH ALS AND FOR THEIR FAMILY. NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM MAY, 2007 AS ALS NATIONAL ADVOCACY MONTH HERE IN AUSTIN AND

CHALLENGE AND ENCOURAGE ALL SITCITIZENS TO BECOME MORE AWARE OF WHAT YOU CAN DO TO HELP THOSE WHO ARE SUFFERING, TO HELP THEIR FAMILIES AND MORE IMPORTANTLY TO RAISE THE AWARENESS FOR POLICYMAKERS, THE MEDICAL COMMUNITY AND ALL OF US TO FUNDAMENTALLY ULTIMATELY FIND A CURE. AND PLEASE JOIN ME IN WELCOMING NANCY MATCHUS WHO WILL TALK ABOUT THE MONTH AND PERHAPS ABOUT ALSO ABOUT THE DISEASE. NANCY? [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] THIS IS A DISEASE WITH NO KNOWN CAUSE. THIS IS A DISEASE WITH NO KNOWN CURE. AND WHAT I TAKE IS VITAMINS TO HELP ME ALONG. BUT I FOUND THE SUPPORT OF THE ALS, AMIOTROPHIC SOCIETY, AND THEY HAVE BEEN HELPING ME TREMENDOUSLY. LAST WEEK I WAS HONORED TO BE INVITED TO WASHINGTON FOR THE NATIONAL ADVOCACY CENTER -- FOR THE NATIONAL ADVOCACY DAY IN WASHINGTON D.C. WHERE WE ADVOCATED THAT CONTINUED FUNDING AND INCREASED FUNDING BE FUNNELED TOWARD FINDING OUT WHAT IS LOU GEHRIG'S DISEASE AND WHAT CAUSES IT. AND THE MOST INTERESTING FACTOR THAT WE FOUND WAS THAT GOFORS SYNDROME IS LOU GEHRIG'S DISEASE. EVERYTHING THAT YOU HAVE HEARD ABOUT THAT SYNDROME IS LOU GEHRIG'S DISEASE. MILITARY MEN THAT HAVE SERVED IN THE PERSIAN GULF ARE TWICE AS LIKELY TO COME DOWN WITH IT THAN THE REGULAR PUBLIC AND WE'VE BEEN FOCUSING ON THE VETERANS ADMINISTRATION AND TRYING TO INCREASE THEIR FUNDING AND AWARENESS OF THE ALS. I ALSO HAVE MEMBERS OF THE ALS ASSOCIATION, EVONNE GARCIA IS THE EXECUTIVE DIRECTOR HERE AND WE HAVE A BOARD MEMBER FROM THE SOUTH TEXAS ASSOCIATION, AND WE'RE GOING TO HAVE A LITTLE FUNDRAISER AND HAPPY HOUR BECAUSE ONE OF THE THINGS THAT I THINK ALS MAKES YOU DO REAL FAST IS REALIZE THAT LIFE IS SHORT AND YOU MIGHT AS WELL BE AS HAPPY AS YOU CAN BE WHILE YOU'RE THERE. AND SO WE'RE GOING TO HAVE HAPPY HOUR. [APPLAUSE] WE'RE GOING TO HAVE HAPPY HOUR ACROSS THE STREET AT LAMBERT'S IF ANYONE WOULD LIKE TO -- CARE TO JOIN US AT 6:00 AND EVONNE GARCIA, OUR EXECUTIVE DIRECTOR WOULD LIKE TO SAY A FEW WORDS TO YOU.

THANK YOU, NANCY. GREAT HONOR TO BE HERE WITH YOU IN THE BEAUTIFUL CITY OF AUSTIN. AND I JUST WANTED TO TAKE A MOMENT AS THE DIRECTOR FOR THE SOUTH TEXAS CHAPTER TO LET YOU KNOW THAT WE SERVICE 98 COUNTIES IN SOUTH TEXAS, AND WE'RE VERY EXCITED THAT HERE IN AUSTIN, TEXAS WE HAVE A DYNAMIC GROUP OF PEOPLE WORKING VERY HARD TO PROMOTE ALS, TO PROMOTE FUNDING, TO STRENGTHEN THIS COMMUNITY FOR PEOPLE WHO SUFFER WITH THIS TERRIBLE ILLNESS AND ANYTHING THAT YOU CAN DO TO HELP US OR MOVE US IN THAT RIGHT DIRECTION WE PLEASE ASK YOU TO JOIN US IN THIS FIGHT. I'M SURE THAT MANY OF YOU KNOW FAMILY MEMBERS OR NEIGHBORS OR CHURCH MEMBERS WHO MAY BE SUFFERING FROM ALS. OUR ORGANIZATION IS HERE TO HELP THOSE PEOPLE. IF WE CAN HELP IN ANY WAY OR YOU NEED ANY INFORMATION, PLEASE FEEL FREE TO CONTACT US AND WE WOULD BE GLAD TO SERVICE YOU. I JUST WANT TO THANK NANCY FOR HER COURAGE AND HER STRENGTH. SHE DID A WONDERFUL JOB IN WASHINGTON LAST WEEK ADVOCATING FOR THE WHOLE STATE OF TEXAS AND FOR ALL OF THOSE SUFFERING FROM ALS. AND THANK YOU FOR OUR AUSTIN DEVELOPMENT COMMITTEE, MELINA, FOR ALL THE WORK YOU DO, MR. BARTOS FROM OUR BOARD, THANK YOU SO MUCH FOR BEING HERE WITH US. [APPLAUSE] BART OWES BAR OWES BART OWES

THIS ESSENTIALLY ENDS UP BEING EMPLOYEE DAY BECAUSE CITY OF AUSTIN EMPLOYEES FIND THEMSELVES IN SORT OF ALL WALKS OF LIFE DOING SO MANY DIFFERENT THINGS, BOTH PROFESSIONALLY FOR YOU DURING THE DAYTIME AND ALSO THERE ARE SOME REMARKABLE TALENT WORKING IN THIS ORGANIZATION THAT ONE CAN COME ACROSS AT NIGHT. AND I'M -- IF YOU HAVEN'T HAD A CHANCE TO BE SOMEWHERE WHERE PAMELA HART WAS PERFORMING YOU NEED TO FIGURE OUT HOW TO DO THAT, HOPEFULLY SHE'LL TELL US WHERE SHE'LL BE GIGGING SOON OR HOW WE CAN CONTINUE TO SUPPORT HER SECOND CAREER, MAYBE FIRST CAREER. SO THIS PROCLAMATION IS ABOUT NEXT WEEK WE'RE GOING TO BE CELEBRATING WOMEN IN JAZZ DAY AND HOW APPROPRIATE IT IS TO BE HERE WITH THE LOVELY PAMELA HART AS I PRESENT THIS AND WE'RE HEAR FROM HER IN A MINUTE.

THE PROCLAMATION READS, THE WOMEN OF JAZZ ASSOCIATION IS A NONPROFIT ORGANIZATION DEDICATED TO PERPETUATING THE APPRECIATION AND PERFORMANCE OF TRADITIONAL JAZZ VOCAL AND INSTRUMENTAL MUSIC, AND WHEREAS THE ASSOCIATION IS SPONSORING AN EVENING OF JAZZ AT THE PARAMOUNT THEATER FEATURING GRAMMY NOMINATED ARTIST, PATRICE RUSSIAN AND DRUMMER KERRY LYNN TEARING TON, SAXOPHONIST CAL TURNER AND WILKINS OPENING THE SHOW, AND WHEREAS THE ASSOCIATION ALSO WILL BE OFFERING A JAZZ PERFORMANCE WORKSHOP LATER THIS SUMMER AT THE CARVER MUSEUM. SO THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, DO HEREBY PROCLAIM THAT WOULD BE SATURDAY, JUNE 2, 2007 AS WOMEN IN JAZZ DAY AND PLEASE JOIN ME IN WELCOMING A FABULOUS TALENT, MS. PAMELA HART.

THANK YOU, MAYOR. I'M SO EXCITED ABOUT THIS OPPORTUNITY TO HAVE WOMEN IN JAZZ DAY. I MOVED TO AUSTIN IN 2002 FROM LOS ANGELES, BIG CITY, AND WHEN I GOT HERE I FOUND THAT AUSTIN WAS A PLACE WHERE YOU CAN CREATE YOUR OWN QUALITY OF LIFE. I HAD PEOPLE TELLING ME FROM L.A. THAT THERE WAS NOTHING TO DO IN AUSTIN, BUT I SAID YOU CAN MAKE YOUR OWN ODD THINGS TO DO AND ENJOY, AND THE CITY HAS SUPPORTED ME FOR TEN YEARS IN THIS PROJECT, NOT ONLY WITH CULTURAL FUNDING -- CULTURAL CONTRACTS BUT ALSO IN THE STAFF, THE COUNCIL ITSELF HAS PERSONALLY DONATED, AND ALSO -- EVEN THE ORGANIZATION THAT I WORK FOR IS TOTALLY SUPPORTIVE. I CAN BE MYSELF IN AUSTIN, IN OTHER WORDS, AND I REALLY LIKE THAT. THE WOMEN IN JAZZ ORGANIZATION NOT ONLY JUST PRODUCES SHOWS LIKE THE WONDERFUL SHOW YOU'LL SEE SATURDAY, JUNE 2, WITH PATRICE RUSSIAN, BUT WE ALSO HOLD PERFORMANCE WORKSHOPS SO THAT SINGERS WHO SING THE FLUID NATURE OF JAZZ WILL KNOW HOW TO COMMUNICATE WITH MUSICIANS IN THE TRADITIONAL ART FORM IT IS, SO WE'RE JUST VERY EXCITED AND WE APPRECIATE THE OPPORTUNITY FOR THIS WOMEN IN JAZZ DAY. AND EVERYBODY THINKS THAT I'M THE ONLY ONE WHO PRODUCES THIS WORKSHOP AND THIS CONCERT, BUT THE REALLY WORK IS BEING DONE BY MY HUSBAND HERE, KEVIN

HART. [APPLAUSE] I ALSO WANT TO TAKE THIS OPPORTUNITY, DON'T HAVE TO BE PRESENT FOR THIS, COUNCIL, BUT I DO HAVE A PAIR OF TICKETS FOR EACH COUNCIL MEMBER AND TOBY, AS WELL AS A CD FOR SOME OF THE WOMEN IN JAZZ PARTICIPANTS. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU. [APPLAUSE]

I'M SORRY, YOU KNOW THERE'S ONE MORE THING I HAVE TO DO. MY -- THE PEOPLE I WORK WITH, MY WONDERFUL BOSS, PETER COLLINS, AND THE DEPUTY KAREN SHARP WAS HERE AND ED, AND THEY'RE HERE. ANYWAY, YOU KNOW, WE HAVE OUR STAFF MEETINGS IN HERE SOMETIMES, AND THE SOUND SYSTEM IS IS GREAT I'VE ALWAYS WANTED TO SING IN HERE SO CAN I JUST DO A LITTLE DIDDLEY? [APPLAUSE] SINCE IT'S CLOUDY OUTSIDE I THOUGHT OF THIS TUNE. [ (music) SINGING (music) ] EVERY TIME IT RAINS, IT RAINS PENNY'S FROM HEAVEN. DON'T YOU KNOW EACH CLOUD CONTAINS, PENNIES FROM HEAVEN. YOU'LL SEE YOUR FORTUNE FALLING ALL OVER TOWN, BE SURE THAT YOUR UMBRELLA IS UPSIDE DOWN. TRADE THEM FOR A PACKAGE SUNSHINE AND FLOWERS. IF YOU WANT THE THINGS YOU LOVE, YOU MUST, YOU GOT TO HAVE SHOWERS. SO WHEN YOU HEAR IT THUNDER, DON'T RUN UNDER A TREE, THERE WILL BE PENNIES FROM HEAVEN FOR YOU AND ME. [APPLAUSE]

THANK YOU.

MAYOR WYNN: OH, MY GOSH, WHAT A TREAT.

MAYOR WYNN: SO JUST IMAGINE PAMELA ACCOMPANIED BY SOME GREAT JAZZ MU MUSICIANS AS WELL. IT'S A FABULOUS EXPERIENCE. AND I'LL NOW TURN THE PODIUM OVER TO COUNCIL MEMBER MIKE MARTINEZ.

MARTINEZ: THANK YOU, MAYOR. I WANT TO WELCOME THE AWARD WINNERS FOR THE DIA DE LAS MADRES CONTEST, POETRY CONTEST. PLEASE COME FORWARD. EVERYONE COME AROUND. REAL QUICKLY I WANT TO TALK ABOUT THE CONTEST THAT WE'RE RECOGNIZING THE WINNERS FOR TODAY. CURRENTLY THE AUSTIN INDEPENDENT SCHOOL

DISTRICT HAS A MAKEUP THAT'S ABOUT 56% HISPANIC AND LATINO, AND SO OBVIOUSLY THAT'S WHY THE CITY ENCOURAGES ITS SPORTS PROGRAMS THAT INDICATORS TO THECATERS TO THE NEEDS AND ISSUES AND EXPERIENCES OF THE HISPANIC YOUTH IN AUSTIN. IT'S A NONPROFIT ORGANIZATION IN AUSTIN WHOSE MISSION IS TO EMPOWER HISPANIC GIRLS TO SUCCEED THROUGH MEDIA AND TECHNOLOGY. THEY ACHIEVE IT THROUGH TEAM, TWO BILINGUAL ON-LINE MAGAZINES MADE BY BILINGUAL YUT. IT FURTHER CONSULT VAITS DESIRE TO PUBLIC ON THE WEB, PRODUCE RADIO AND CREATE THEIR OWN TELEVISION PROGRAMS WHILE TEACHING THEM TO USE THE DIGITAL TECHNOLOGY TO DO SO. THE LESSONS ARE INITIATED THROUGH SIX AFTER SCHOOL PROGRAMS AT AREA ELEMENTARY AND MIDDLE SCHOOL. A TEEN REPORTER INTERN PROGRAM ENGAGING HIGH SCHOOL STUDENTS, HUNDREDS OF COMMUNITY PRESENTATIONPRESENTATIONS, A MONTHLY FREE SATURDAY CAMP AT THE ST. JOHN'S BRANCH OF THE PUBLIC LIBRARY, SUMMER CAMPS AND A COLLEGE INTERN PROGRAM. THROUGHOUT THESE PROJECTS YOUNG LATINOS ARE CONNECTED WITH ROLE MODELS AND MENTORS WHO GUIDE THEM IN BUILDING THEIR CONFIDENCE AND SELF-ESTEEM. EVERY YEAR IT OPENS ITS DIA DE LAS MADRES WRITING TO CENTRAL TEXAS COLLECTING POIGNANT, THOUGHTFUL AND SOMETIMES HUMANHUMOROUS PIECES THAT REFLECT GIRLS' GELTION ABOUT THEIR MOTHERS. EACH YEAR IT STEEP ENS AND THIS YEAR PRODUCED FANTASTIC IMAGES THROUGH ART, WRITING AND POETRY OF SOME GREAT MOTHERS AND MOTHER FIGURES. SOME OF THE GIRLS AWARD -- ARE HERE TO BE AWARDED. THEY'VE BEEN RECOGNIZED BY AGE AND TYPE OF SUBMISSION, SO I'D LIKE TO HONOR THESE YOUNG WOMEN BY ANNOUNCING THEIR NAME AND HAVING THEM ACCEPT A CERTIFICATE FROM THE CITY OF AUSTIN FOR THEIR ACHIEVEMENT. TO ALL OF THE CERTIFICATES READ THE SAME EXCEPT FOR YOUR NAMES THAT ARE ON HERE. SO I'M GOING TO READ THE FIRST ONE AND THEN I'LL JUST READ YOUR NAMES TO COME UP AND RECEIVE YOUR CERTIFICATE FOR THE SUBSEQUENT ONES. THE CERTIFICATE OF CONGRATULATIONS, FOR HAVING WON FIRST PLACE OVERALL IN THE DIA DE LAS MADRES ART

CONTEST, MARIA SALAZAR IS DESERVING OF RECOGNITION, IT'S A NONPROFIT ORGANIZATION DEDICATED TO HELPING OTHER LA CONTINUE LATINOS GROWS IN A HEALTHY WAY. THEY SPONSOR A MOTHER'S DAY CONFERENCE TO ENCOURAGE FORTH THROUGH 12TH GRADE HISPANIC GIRLS TO REFLECT ON THE IMPORTANCE OF THEIR MOTHERS AND THEIR LIVES THROUGH WRITING, ART AND POETRY. WINNING SUBMISSIONS ARE PUBLISHED IN THE NATIONAL AK CLAIMED MAGAZINE. WE ARE PLEASED TO CONGRATULATE THEM ON THEIR ACHIEVEMENT. PRESENTED ON THIS 24TH DAY OF MAY IN 2007. THIS IS PRESENTED BY MAYOR WILL WYNN AND THE REST OF THE CITY COUNCIL. THE FIRST ONE GOES TO MARIA SALAZAR. [APPLAUSE]

THE SECOND ONE IS -- TO USE THIS CALLIGRAPHY WRITING. I CAN'T REALLY READ IT. IS IT -- WHAT IS THIS?

OH, IT'S A J. JULIANA? [APPLAUSE]

ALEXIS CHAPA. [APPLAUSE] MARINA DANIEL RODRIGUEZ. [APPLAUSE] SARA MARTINEZ. NICE NAME. [APPLAUSE] BRIANA WALKER. [APPLAUSE] LAURA -- I'M NOT SURE -- IS IT MUNOZ? MONROY. [APPLAUSE] AND LAST BUT NOT LEAST CARMEN RODRIGUEZ. [APPLAUSE] PLEASE WELCOME ME IN CONGRATULATING ALL OF THE WINNERS. [APPLAUSE]

DUNKERLEY: I'D LIKE TO HAVE THE STUDENTS FROM AKINS HIGH SCHOOL STEP FORWARD. IF YOU'LL COME FORWARD. HERE THEY COME. I'M JUST REALLY PLEASED TO PRESENT A PROCLAMATION AND INTRODUCE YOU TO AND OUR TV AUDIENCE TO A WONDERFUL GROUP OF STUDENTS FROM AKINS HIGH SCHOOL. I MET THEM A FEW WEEKS AGO WHEN I WAS A JUDGE OF A CONTEST CALLED SPEAK UP AND SPEAK OUT. THIS IS WHERE THE STUDENTS COMPETE FROM VARIOUS HIGH SCHOOLS. THEY SELECT A PROBLEM THAT THEY HAVE IDENTIFIED WITH THEIR PEERS OR IN THEIR SCHOOLS OR WHAT HAVE YOU, AND THEN RESEARCH THAT PROJECT AND MAKE SOME RECOMMENDATIONS. THIS GROUP CHOSE THE TOPIC ABUSE OF PRESCRIPTION DRUGS AND ONE OF THEIR RECOMMENDATIONS WAS TRYING TO COMMUNICATE THIS ISSUE TO THE PUBLIC, TO THE PARENTS AND TO THE OTHER CHILDREN. AND SO WE HAD THEM TO OUR HELP -- HEALTH SUBCOMMITTEE A FEW WEEKS AGO

AND THEY MADE A PRESENTATION THERE, AND WHAT -- ONE OF THE THINGS THAT'S UNIQUE ABOUT THEIR PRESENTATION WAS THEIR HUMOR. SO BEFORE I GIVE YOU THE PROCLAMATION, I'D LIKE TO GIVE YOU THE CLIP OF YOU MAKING THE PROCLAMATION TO THE HEALTH SUBCOMMITTEE. SO IF YOU'LL PASS THAT DOWN, I THINK THAT'S WONDERFUL. SO I'M GOING TO READ THE PROCLAMATION AND THEN I'LL READ EACH OF THEIR -- THEIR NAMES. SO THIS IS A CERTIFICATE OF CONGRATULATIONS FOR PARTICIPATING IN THE SPEAK UP, SPEAK OUT PROJECT AT AKINS HIGH SCHOOL. THESE STUDENTS ARE DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THE STUDENTS RESEARCHED THE PRESCRIPTION DRUG ABUSE PROBLEM AND CAME UP WITH SUGGESTIONS FOR COMBATTING IT. THEN THEY HAD THE OPPORTUNITY TO MAKE THEIR VOICES HEARD BY PRESENTING THEIR PROJECT TO STUDENTS, PARENTS, POLITICAL OFFICIALS, COMMUNITY LEADERS AND THE MEDIA AT A CITYWIDE CIVICS FAIR. WE'RE PLEASED THAT THESE STUDENTS ARE LEARNING EARLY HOW THEY CAN CONTRIBUTE TO MAKING AUSTIN THE MOST LIVABLE CITY IN THE COUNTRY, AND SO THESE PROCLAMATIONS WILL BE PRESENTED THIS 24TH DAY OF MAY IN THE YEAR 2007 FROM THE CITY COUNCIL, THE CITY OF AUSTIN, AND IT'S SIGNED AND SEALED BY OUR MAYOR, WILL WYNN. SO ARA BUBREAU, I'M GOING TO HAND THESE OUT. FROM -- I NEED SOME HELP. OKAY. COME FORWARD. THANK YOU VERY MUCH. [APPLAUSE]

CHRISTOPHER COSA. NICE TO SAY TO SEE YOU. ALLEN YOUNG? AND WE'RE MISSING ONE. WE'RE MISSING ONE FOR OUR PRODUCER, SO IT'S LOST SOMEPLACE IN THE SYSTEM. SO THIS YOUNG MAN WAS REALLY WONDERFUL. HE'S -- HE ACTUALLY DID THE VIDEO THAT I WISH WE HAD TIME TO SHOW BUT WE DON'T. SO WE WILL GET YOUR CERTIFICATE TO YOU. IT'S LOST SOMEPLACE IN THE SHUFFLE. SO IF ONE OF YOU WOULD LIKE TO MAKE A COMMENT OR ALL OF YOU, SAY A FEW WORDS AND WE JUST ARE SO GRATEFUL FOR YOUR WORK.

THANK YOU VERY MUCH. THANK YOU VERY MUCH FOR THIS OPPORTUNITY. WE ARE A GROUP OF HIGH SCHOOL STUDENTS, WE'RE SENIORS, WE'RE GOING TO BE STAYING IN AUSTIN NEXT YEAR AND WE NOTICED THAT THERE'S A

PROBLEM IN OUR COMMUNITY AND THAT'S PRESCRIPTION DRUG ABUSE FOR YOUNG PEOPLE. A FRIEND OF MINE WAS SHARING WITH ME THAT BEFORE HE EVEN ENTERED HIGH SCHOOL HE HAD ABUSED PRESCRIPTION DRUGS AND RECOVERED FROM THEM. AND THAT'S BEFORE ENTERING HIGH SCHOOL. SO THAT GOT ME THINKING HOW MANY MORE STUDENTS IN HIGH SCHOOL ARE ACTUALLY ABUSING PRESCRIPTION DRUGS. SO WE GOT TOGETHER WITH A COUPLE OF UT STUDENTS AND WE WORKED HARD TO MAKE A PRESENTATION AND OUTLINE THE PROBLEM AND THE SOLUTION TO PRESCRIPTION DRUG ABUSE FOR YOUNG PEOPLE, AND ONE OF OUR RECOMMENDATIONS WAS A GOVERNMENT -- A CITY GOVERNMENT PROGRAM THAT KIND OF BRINGS TO THE ATTENTION OF THE PUBLIC THIS PROBLEM SO I JUST WANTED TO THANK MY TEAMMATES HERE. WE ALL WORKED VERY HARD, AND WE JUST -- I MEAN, HOPEFULLY IT'S TOO BAD WE CAN'T SHOW YOU THE VIDEO, BUT JUST THANK YOU FOR THIS OPPORTUNITY. [APPLAUSE] SPRINGS.

MAYOR WYNN: THERE BEING A QUORUM PRESENT, AT THIS TIME I'LL CALL BACK TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS ABOUT 6:30 P.M. WE'VE BEEN IN RECESS NOW FOR ABOUT AN HOUR. I APOLOGIZE FOR THE DELAY. IF I REMEMBER CORRECTLY, MR. GUERNSEY, WE HAD TAKEN UP ALL OF OUR ZONING CASES WITH THE EXCEPTION OF OUR FINAL ONE, ITEM NO. 53. GOT A BUNCH OF SPEAKERS AND SO YOU'RE WELCOME TO INTRODUCE THAT CASE.

THANK YOU, MAYOR AND COUNCIL. OUR NEXT ITEM IS ITEM NO. 53, THIS IS CASE C 14-2007-0011, FOR THE LAMAR/MANCHACA VMU CASE, LOCATED AT 2711 TO 2715 SOUTH LAMAR AND 2803 TO 2901 MANCHACA ROAD. THIS PROPERTY IS APPROXIMATELY 6.39 ACRES, AND IS CURRENTLY ZONED CS, GENERAL COMMERCIAL SERVICES. THE REQUEST IS FOR CS-CO TO ADD A VERTICAL MIXED USE COMPONENT. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE STAFF RECOMMENDATION, AND THEY APPROVED THE STAFF RECOMMENDATION ON A VOTE OF 8-0 AND THAT WAS TO ADD THE CS-CO, WHICH INCLUDE THE VERTICAL MIXED USE OVERLAY. THE COMMISSION ALSO MADE SOME ADDITIONAL RECOMMENDATIONS, ALTHOUGH THEY WERE NOT A PART

OF THE DIRECT APPROVAL OF THIS CASE. THEY MADE RECOMMENDATIONS REGARDING THE REMAINDER OF THE TRACT, WHICH IS LOCATED ACTUALLY BEYOND THE BOUNDARY OF THIS PROPERTY, THAT THERE SHOULD BE NATURAL LANDSCAPING USED FOR A STORM WATER POND, THAT THE REAR THREE ACRES OF THIS PROPERTY SHOULD BE RESERVED FOR PARK USE, AND THE DEVELOPER SHOULD WORK TO FIND SUITABLE PLACEMENT FOR A DAY CARE FACILITY. THEY ALSO MENTIONED, PART OF THEIR PRESENTATION, TO LOOKING AT A DOWN ZONING OF A MAJORITY OF THE PROPERTY AND ZONING TO A GR OR COMMUNITY COMMERCIAL CLASSIFICATION. THE SITE IS CURRENTLY, AS I MENTIONED, A DAY CARE FACILITY. IT'S ALSO OCCUPIED BY A WAREHOUSING, AUTO REPAIR AND OFFICES. TO THE NORTH OF THE PROPERTY IS CURRENTLY ZONED CS. THERE'S SOME SELF-STORAGE AND A LITTLE FURTHER AUTO REPAIR AND A CHURCH PRESCHOOL BEYOND THAT TO THE NORTH. TO THE SOUTH IS AN LR-MU AND MF-2, WHICH HAS SOME APARTMENTS AND COMMERCIAL MIX USES, AND TO THE EAST IS CS AND MF-2 AND CONTAINS SINGLE-FAMILY HOMES AND A CHURCH. AND TO THE WEST, ACROSS LAMAR THERE'S CONVENIENCE STORES, A GOODWILL FACILITY. THIS IS OUR FIRST VERTICAL MIXED USE, OR OPT IN PROJECT THAT WE'LL BE BRINGING TO YOU, AND I THINK I'LL PAUSE AT THIS MOMENT. I DO HAVE SOME EXPERTS HERE THIS EVENING, GEORGE ADAMS, TO ADDRESS YOU ON VERTICAL MIXED USE ISSUES. GEORGE APWOK IS ALSO PRESENT TO DISCUSS ANY ISSUES WITH TRAFFIC. GENERALLY THE TRAFFIC IMPACT WOULD BE LESS ON THIS PROPERTY. A PORTION OF THIS SITE MAY ACTUALLY BE IN THE BARTON SPRINGS ZONE, SUCH SUBJECT TO THE BARTON CREEK WATERSHED REGULATIONS. THAT HAS YET TO BE FINALIZED BECAUSE IT'S KIND OF AT THE BREAK OF TWO WATERSHEDS TOWARD THE FRONT OF THIS PROPERTY. THAT ANALYSIS WOULD USUALLY BE DONE AT THE TIME OF SITE PLAN TO CONFIRM THE EXTENT THAT THE PROPERTY IS IN EITHER THAT WATERSHED OR THE BOULDIN -- WEST BOULDIN CREEK WATERSHED. AT THIS TIME I'LL PAUSE. IF YOU HAVE ANY QUESTIONS I'LL BE HAPPY TO ANSWER THEM, AND UNDERSTANDING THAT I GUESS YOU HAVE MANY SPEAKERS

ON THIS ITEM THIS EVENING.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. QUESTIONS FOR STAFF? COUNCIL? COMMENTS? IF NOT, THEN WE WILL TAKE UP THE PUBLIC HEARING, ITEM NO. 53, AND WE'LL WELCOME A PRESENTATION FROM OUR APPLICANT AND OR AGENT. WELCOME MR. METCALF, AND LET'S SEE, IS MICHELE ROGERSON HERE? HI, MICHELLE, WELCOME. HOW ABOUT ASHLEY MCNAB? IS ASHLEY HERE? OH, HI, ASHLEY. SO MR. METCALF, THAT MEANS YOU WILL HAVE UP TO 11 MINUTES IF YOU NEED IT.

WHAT IF I HAVE REBUTTAL?

MAYOR WYNN: PARDON?

HOW ABOUT REBUTTAL TIME?

MAYOR WYNN: YOU HAVE A ONE-TIME THREE MINUTE REBUTTAL FOLLOWING ALL OF THE FOLKS IN OPPOSITION.

OKAY. AND DOES THAT INCLUDE THE 11 MINUTES OR NOT?

MAYOR WYNN: NOT.

OKAY.

MAYOR WYNN: MY INSTINCT ON A CASE LIKE THIS, MR. METCALF, IS THAT ONCE YOU SPEND JUST A COUPLE MINUTES WITH THE REBUTTAL, THERE'S GOING TO BE A NUMBER OF QUESTIONS AND COMMENTS FROM THE DAIS AND SO YOU -- I DOUBT YOU WILL BE LIMITED TO THREE MINUTES AFTER -- AT THE END --

I THINK YOU'RE GOING TO BE RIGHT, MAYOR. THANK YOU, MAYOR, COUNCIL MEMBERS. MY NAME IS STEVE METCALF AND I'M HERE ON BEHALF OF THE APPLICANT TONIGHT. THE SITE WE'RE TALKING ABOUT, I'LL HIT SORT OF -- I KNOW YOU'VE JUST HAD IT LOCATED FOR YOU BY STAFF AND I THINK YOU-ALL ARE AWARE WHERE IT IS, BUT ONE THING THAT I WANT TO POINT OUT ABOUT THE SITE IS IT IS AN ACCUMULATION OF ABOUT SIX TRACTS. SO TO DO THIS PROJECT AS AN ACCUMULATION OF ABOUT SIX TRACTS AND

IT WAS A REALLY DIFFICULT ASSEMBLAGE, SO THIS SITE ITSELF IS SORT OF A UNIQUE THING. THERE'S VERY FEW PLACES ON SOUTH LAMAR OR ANY OF THESE CORE TRANSIT CORRIDORS WHERE YOU CAN ASSEMBLE A PROJECT LIKE THIS. WHEN YOU SEE THE WHOLE PIECE, THE FRONT PART IS WHERE WE'RE PUTTING THE VMU. THE BACK PIECE IS WHERE MOST OF THE DISCUSSION HAS BEEN. I THINK WE HAVEN'T HAD ANYBODY REALLY AGAINST THE VMU ITSELF, BUT WE HAD THIS DISCUSSION WITH NEIGHBORS ABOUT WHAT WE'RE GOING TO DO ON THE PIECE BEHIND THE VMU. THE CURRENT USES OF THE SITE, IT'S A SORT OF A TYPICAL MIX OF SOUTH LAMAR, SOME WAREHOUSE, MACHINE SHOPS, SMALL OFFICES, AUTO PARTS SHOP, THE DAY CARE. HERE'S SOME PICTURES THAT SHOW THIS INTERSECTION, PROBABLY MOST OF YOU ARE FAMILIAR WITH IT. AS STAFF TOLD YOU, THE SITE IS ZONED CS. AT LEAST THE PART WE'RE ASKING FOR THE VMU ON. THE REST OF THE SITE IS ZONED A MIX OF CS AND SF-6, AS YOU CAN SEE ON THIS SLIDE. THE VMU WE'RE TALKING ABOUT BUILDING HERE WOULD BE ON 6 ACRES, CONTAIN ABOUT 18,000 SQUARE FEET OF RETAIL, 360 APARTMENT UNITS, 20 LIVE WORK, 15-FOOT SIDEWALKS, PEDESTRIAN ORIENTED FRONTS, STREET ART, JUST THE KIND OF PROTOTYPICAL POSTER CHILD VMU PROJECT WITH A MIX OF USES, THE PEDESTRIAN ORIENTED USES, THE STREET USE, ALL THAT THAT WE'VE ALL SORT OF BEEN WORKING ON FOR A LONG TIME TO CREATE THESE VMU'S. HERE'S A RENDERING OF IT, OR A SITE PLAN OF IT. IT'S PRETTY CONCEPTUAL, ALTHOUGH PRETTY MUCH WHAT'S GOING TO END UP BEING THERE. IT MIGHT END UP BEING RECONFIGURING A LITTLE BIT, IT'S FRONT ON LAMAR. WE TAKE LIVE WORK SPACE AND WRAP IT AROUND MANCHACA AND LIGHTSY. THE PARKING LOT IS COMPLETELY WRAPPED BY UNITS SO YOU DON'T HAVE EXPOSED PARKING. A LITTLE BIT OF PARKING FOR THE RETAIL AND VISITORS BUT MOST OF IT IS STRUCTURED PARKING. WITH THE RESIDENTIAL UNITS BUILT ON TOP. THEN THE LAND BEHIND IT IS AGAIN WHERE MOST OF THE DISCUSSION HAS BEEN. WHAT WE'RE PROPOSING THERE IS UP TO 44 TOWN HOMES, PARKLAND AND SOME TRAILS. IF YOU LOOK AT THIS MAP HERE, THIS -- YOU CAN SEE -- YOU CAN SEE WHAT WE'RE PROPOSING. FOR THE TOWN HOMES THERE, AND THEN BEHIND THE TOWN HOMES EITHER PARKLAND OR

UNDEVELOPED LAND AND OUR PONDS. SO THERE WON'T BE ANY TOWNHOMES SORT OF PAST THAT RECTANGULAR LINE YOU SEE RIGHT THERE. THE BENEFITS THAT THIS PROJECT IS BRINGING, AND I THINK THE MOST IMPORTANT ONE IS THAT IT'S A VMU, ON A POOR TRANSIT CORRIDOR AND THERE'S BEEN A COUPLE DISCUSSIONS TONIGHT ABOUT THIS EXACT SUBJECT WHICH IS THIS IS WHAT WE'RE ALL TALKED ABOUT. THIS IS ENVISION CENTRAL TEXAS. THIS IS THE AIR POLLUTION QUESTIONS. THIS IS THE -- GETTING PEOPLE OUT OF THE CARS. THIS IS LESS INFRASTRUCTURE COST. THIS IS EVERYTHING WE WANT WHEN WE'RE TALKING ABOUT THE URBANIZATION OF THE CITY. NOW, WHAT'S REALLY SORT OF UNIQUE ABOUT THIS ONE IS THIS ONE ACTUALLY BLENDS INTO A NEIGHBORHOOD, AND IF YOU -- IF YOU SEE HERE, THIS IS ONE OF THE EARLIER RENDITIONS WE HAD OF THIS PROJECT, AND AGAIN, YOU HAVE THE VMU OUT ON THE FOUR TRANSIT CORRIDOR. WE WENT TO ABOUT 56 TOWNHOMES AND ABOUT HALF OF THOSE ACTUALLY ACCESSED DELL CURT ON AND YOU CAN SEE THERE WERE SIX OF THEM ON THAT LAND THAT'S NOW SLATED FOR PARKLAND. SO WE'VE MOVED A LOT ON THIS PROJECT BUT NOW IT'S A CLASSIC PIECE OF LAND. WE'LL HAVE THE VMU, YOU SHIFT INTO LESS DENSE TOWNHOMES AND OUT NEXT TO THE NEIGHBORHOOD YOU HAVE OPEN SPACE AND PARK LANDS. AND HERE'S THE RENDERING OF THE WAY IT LOOKS TODAY WHERE WE HAVE THE PARKS AND THE NO ACCESS TO DELL CURTO, WHICH WAS ONE OF THE ASPECTS THE NEIGHBORS WANTED WHICH WAS NOT HAVING TRAFFIC OUT TO DELL CURTO. THIS SITE IS ZONED CS NOW. AS YOU KNOW, CS ALLOWS YOU TO DO ALMOST ANYTHING. THERE'S NO CURRENT OVERLAYS OR CONDITIONS ON THAT SO YOU CAN DO A WIDE RANGE OF COMMERCIAL, INDUSTRIAL, ET CETERA, USES. HERE'S THE DOWN ZONING MAP WE'RE TALKING ABOUT. THE AREA IN GRAY, WE'RE GOING TO DOWN ZONE FROM CS TO GR WITH BASICALLY LLR USES. THE YELLOW AREA DOWN SOAD TO IS. F 6 AND THE RED AREA IS BEING ZONED SF-6 FROM SF-3, SO AN UP ZONING, BUT THE REASON WE'RE DOING THAT IS TO CREATE ENOUGH SITE AREA TO HAVE THE TOWNHOMES. WE'RE NOT ACTUALLY PUTTING TOWNHOMES IN THAT AREA FOR THAT PURPOSE. WE'RE GOING TO AGREE TO LIMIT TO LR USES. LIMIT THE NUMBER OF SF -- OF TOWNHOMES OUT THERE. ANOTHER

PROJECT YOU SAW EARLIER TONIGHT TALKED ABOUT SAVING THE TREES. THIS SITE SAVES THE MAJORITY OF THE TREES. WE'RE GOING TO RUN TRAIL SYSTEMS THROUGH HERE, YOU SEE HERE IN RED. AGAIN, THERE WILL BE NO AUTO ACCESS OUT TO DELL CURTO BUT WE THOUGHT IT WAS IMPORTANT TO HAVE PEDESTRIAN BIKE ACCESS. SO THE NEIGHBORHOOD WILL BE ABLE TO GET TO THE PROJECT BY WALKING AND ON BIKES BUT NO TRAFFIC. SO NO TRAFFIC OUT TO DELL CURTO EXCEPT FOR FOOT TRAFFIC AND BIKE TRAFFIC. WE'RE GOING TO DO A LOT OF TRAFFIC IMPROVEMENTS. I'M SURE THERE WILL END UP BEING QUESTIONS ABOUT TRAFFIC IMPROVEMENTS SO I WON'T GO INTO TOO MUCH DETAIL HERE BUT I CAN EXPLAIN IT MORE AS YOU-ALL HAVE QUESTIONS, BUT THERE IS SOME PROBLEMS WITH THE INTERSECTION NOW, AND WITH OUR PROJECT WE'RE GOING TO HELP THAT A LOT. FURTHER, IT'S BEEN DISCUSSED A LOT TONIGHT, ON THE OTHER PROJECT THAT WAS UP BEFORE THIS IS VMU'S DON'T PRODUCE A LOT OF TRAFFIC. THEY JUST DON'T COMPARED TO THE TYPE OF PROJECT TO BE A CS PROJECT HERE. HERE'S SOME INTERSECTION IMPROVEMENTS, AND I CAN GO INTO MORE DETAIL A LITTLE BIT LATER AS PEOPLE HAVE QUESTIONS, THAT WE'VE BEEN TALKING TO STAFF ABOUT, AND ACTUALLY STAFF HAS ALREADY BEEN WORKING ON TRYING TO FIX THIS INTERSECTION AS IT STANDS. WE'RE ALSO REDUCING THE NUMBER OF CURB CUTS THAT ARE OUT ONTO MANCHACA WHICH WILL HELP THE TRAFFIC SITUATION. THERE'S SIX NOW, WE'RE GOING DOWN TO ONE. WE'RE PROPOSING AFFORDABLE HOUSING AT 10% OF THE UNITS AT 80%. THERE IS NO AFFORDABLE HOUSING HERE TODAY. THIS ISN'T A SITE WHERE THERE'S ANY EXISTING AFFORDABLE HOUSING AT ALL SO THIS IS COMPLETELY NEW AFFORDABLE HOUSING STOCK. IT'S AFFORDABLE HOUSING THAT DOESN'T EXIST. IT'S LONG-TERM, 40 YEAR, VMU/AFFORDABLE HOUSING. AND THE MOST -- PROBABLY KEY ASPECTS OF THIS WHOLE DEAL FOR THE NEIGHBORS HAS BEEN BESIDES ACCESS TO DELL CURTO IT'S BEEN THE PARKLAND, AND I THINK THERE'S GOING TO BE SOME QUESTIONS ABOUT THAT AND I CAN GIVE YOU MORE DETAIL BUT BASICALLY IF YOU LOOK AT THIS RENDERING UP HERE, IT'S THAT RECTANGULAR AREA BACK THERE. NOW, THE STUFF THAT'S DARKER GREEN WILL BE ACTUALLY DEDICATED AS PARKLAND. THE STUFF THAT'S

IN LIGHTER GREEN WILL BE DEDICATED FOR PUBLIC USE BUT NOT ACTUALLY PARKLAND. WE HAVE TO KEEP THAT FOR SITE AREA PURPOSES ON OUR SF-6 ZONING, AND WE ALSO HAVE TO HAVE OUR POND BACK THERE AS WE DON'T HAVE ANY OTHER PLACE TO PUT IT. THE POND IS A LITTLE DECEIVING TOO WHEN YOU LOOK AT IT BECAUSE THAT'S THE WHOLE POND AREA. THAT'S NOT THE -- THAT'S NOT JUST -- THAT'S A LOT MORE THAN THE POND. THAT'S THE AREA THAT SURROUNDS THE POND THAT'S FENCED OFF, SO A LOT MORE OF THAT AREA IS USABLE THAN ACTUALLY IS DEPICTED ON THAT MAP. WE ARE ALSO AGREEING TO DO TWO STAR GREEN BUILDING ON THIS. WE ALSO -- WE UNDERSTAND SOME PROJECTS WE'VE BEEN ABLE TO FIGURE OUT HOW TO DO THE 25% ENERGY EFFICIENCY, AND WE'RE GOING TO WORK WITH THE GREEN BUILDING STAFF TO TRY TO REACH THAT GOAL AS WELL. RENDERING OF A PROJECT. HAPPY TO ANSWER ANY QUESTIONS YOU GUYS HAVE.

MAYOR WYNN: THANK YOU, MR. METCALF. QUESTIONS FOR THE AGENT, OR APPLICANT? COUNCIL MEMBER MCCRACKEN.

MCCRACKEN: YEAH, I THINK YOU ADDRESSED SOMETHING THAT I THINK WE CAN PROBABLY GET RESOLVED WHICH IS THE QUESTION OF HOW QEK LIMIT THE HOW WE CAN LIMIT THE TRAFFIC ON TO DELL CURT ON WHICH THE DEVELOPER IS OFFERING TO DO AND THE NEIGHBORHOOD WANTS AND I THINK WE'VE HAD QUESTION FROM LEGAL OF HOW WE COULD ACHIEVE THAT. LOOKING AT THE MAP HERE THIS EVENING IT SEEMS THAT WE COULD. I'VE GOTTEN SOME INDICATION BEFOREHAND THAT WE COULDN'T DO THAT, BUT I THINK WE COULD COME UP WITHIN THE PUBLIC COVENANT SOME LIMITATION THAT SAYS WHATEVER HAPPENS TO THE REST OF THE PROPERTY, THIS PROPERTY CAN'T DUMP ONTO ANY KIND OF DRIVE OR STREET THAT THEN GOES ON TO DELL CURTO. DID SOMEONE REMEMBER ACTION BECAUSE I KNOW THIS IS AN ISSUE FOR THE NEIGHBORS, IS THIS SOMETHING THE DEVELOPER WANTS TO DO? AND WE'VE SAID IT HAS TO BE DONE IN A PUBLIC COVENANT, SO THAT'S JUST A HOT -- JUST A -- SOMETHING FOR LEGAL TO BE LOOKING AT AND FOR THE NEIGHBORS AND DEVELOPERS TO BE AWARE OF. BECAUSE THEY'RE

THINKING WE CAN ACHIEVE THIS. AND THEN MR. METCALF,  
ONE MORE QUESTION FOR YOU. WHAT IS YOU-ALL'S TRAFFIC  
COUNT ON THIS DEVELOPMENT?

I'LL PUT THE SLIDE UP HERE THAT SHOWS THAT. IT'S RIGHT  
AROUND 3800 TRIPS, THE TRAFFIC CHART.

MCCRACKEN: ABOUT 3800 CAR TRIPS?

IT LOOKS LIKE 42. YEAH.

MCCRACKEN: IT LOOKS LIKE 2700 CAR TRIPS IS THIS.

THAT'S THE DIFFERENCE. THERE'S 843 EXISTING TRIPS  
TODAY. THE PROPOSED PROJECT WOULD PRODUCE 3500  
AND THAT'S THE DIFFERENCE BETWEEN THE EXISTING  
TRIPS.

MCCRACKEN: WHAT YOU'RE SEEING STILL IS IT'S ABOUT  
HALF OF WHAT A FAST-FOOD RESTAURANT PRODUCES FOR -  
-

IT'S WHAT A CS PROJECT WOULD PRODUCE HERE, SO IF YOU  
HAVE A CS PROJECT YOU'D BE SOMETHING MORE LIKE  
12,000 TRIPS.

MCCRACKEN: I THINK IT'S AN IMPORTANT POINT. WE'VE SEEN  
THE SECOND TIME THIS EVENING NOW IN THESE IN FILL  
REDEVELOPMENTS HOUSING, WE HAVE 360 UNITS PLUS 20  
WORKING UNITS FOR AFFORDABLE HOUSING IS PRODUCING  
ABOUT HALF THE CAR TRIPS OF A FAST-FOOD RESTAURANT.  
THAT'S AN EXAMPLE OF GET SMART ON YOUR LAND USE  
YOU CAN ACTUALLY HAVE A WIDE RANGE OF BENEFITS.

CAN I RESPOND ALSO TO YOUR RESTRICTIVE COVENANT  
QUESTION? WE'VE BEEN TALKING TO STAFF A BUNCH. WE  
HAD ANOTHER DISCUSSION WITH STAFF THIS MORNING,  
WITH LEGAL. MY GUESS IS IF YOU LOOK AT THIS LIST, AND  
THESE ARE THE LIST OF THINGS WE'RE PROPOSING TO DO,  
AND WE WILL DO THEM ALL, AND WE WILL BE OBLIGATED TO  
DO THEM ALL AND I THINK IT CAN BE THROUGH A MIX OF  
PUBLIC AND OR PRIVATE RESTRICTIVE COVENANTS. SO THIS  
ENTIRE LIST WILL DO, IT'S JUST WHATEVER FORMAT STAFF

DECIDES THEY WANT US TO DO. AND I THINK IT CAN BE A MIX OF THE TWO, PUBLIC AND PRIVATE.

MCCRACKEN: THANKS.

MAYOR WYNN: THANK YOU, MR. METCALF. FURTHER QUESTIONS OF THE APPLICANT/AGENT? IF NOT, HANG LOOSE, MR. METCALF, I'M SURE WE'LL HAVE QUESTIONS FOR YOU LATER. SO THOSE ARE THE FOLKS WHO ARE HERE TO TESTIFY IN FAVOR OF THE ZONING CASE. WE NOW HERE FROM FOLKS IN OPPOSITION BEFORE WE COME BACK FOR REBUTTAL. OUR FIRST SPEAKER IN OPPOSITION IS CAMILLE PERRY. SIGNED UP WISHING TO SPEAK IN OPPOSITION, AS DID STEWART PERRY, SIGNED UP IN OPPOSITION, TO BE FOLLOWED BY SHERRI KORDRY. HOPE I PRONOUNCED THAT RIGHT, SHERRI. WELCOME, MA'AM. YOU'RE MS. PERRY? YOU'LL HAVE THREE MINUTES. WELCOME. YOU'LL BE FOLLOWED BY STEWART, WHO WILL BE FOLLOWED BY SHERRI CORDRY.

HE'S GOING TO BE ABLE TO BE HERE AFTER ALL. I SPOKE WITH HIM EARLIER.

MAYOR WYNN: OKAY.

FIRST OF ALL, I'D LIKE TO SAY THAT I AM OPPOSED TO THE NEW VMU ZONING AND DEVELOPMENTS REPLACING REGULAR CS ZONING AND DEVELOPMENT ANYWHERE ALONG SOUTH LAMAR, NOT JUST AT THIS LOCATION. THERE WILL BE NO PARKING IN FRONT OF THESE BUILDINGS. I DON'T FEEL SAFE PARKING IN PARKING GARAGES. THEREFORE, THESE, QUOTE/UNQUOTE, BUSINESSES THAT WILL GO IN, WHICH ARE OF A VERY LIMITED VARIETY TO BEGIN WITH, WON'T BE USEFUL TO ME, AND THEY WILL BE REPLACING BUSINESSES THAT ARE USEFUL AND CONVENIENT TO THE ENTIRE SOUTH AUSTIN AREA, NOT JUST ADJACENT NEIGHBORHOODS. I'M ALSO OPPOSED TO VMU ZONING ALONG SOUTH LAMAR BECAUSE VMU ALLOWS DEVELOPERS TO PUT IN A REDUCED NUMBER OF PARKING SPACES. ONLY 60% OF CS, WHICH IS ONLY ABOUT HALF AS MANY AS WOULD OTHERWISE BE REQUIRED. THIS IS UNFAIR TO BOTH NEARBY BUSINESSES AND RESIDENCES LAKE. IT'S AT RESIDENCES A LAKE. AT PRESENT THE CAPITAL BUILDING

AS IT CAN BE SEEN FROM SOUTH MANCHACA AND SOUTH LAMAR INTERSECTION, APPEARS TO BE A PROMINENT PLACE IN THIS CITY, ALLOWING A MULTI-STORY BUILDING OR BUILDINGS TO BE BUILT THAT CLOSE TO THE STREET WILL ALTER THAT VIEW. IT WILL DWARF AND DIMINISH THE VIEW OF THE CAPITAL BUILDING FROM THAT -- FROM SOUTH LAMAR. A VMU PROJECT AS OPPOSED TO THE PRESENT CS WOULD ADD GREATLY TO THE TRAFFIC DURING MORNING COMMUTES AND EVENING RUSH HOUR, WHICH ARE THE PEAK TIMES FOR THIS INTERSECTION ALREADY. ANY CORRECT TRAFFIC STUDY SHOULD HAVE BEEN DONE BEFORE MAY OR NEEDS TO BE DONE NO EARLIER THAN SEPTEMBER AFTER THE UNIVERSITY, WHILE THEY ARE IN SESSION. ANY TRAFFIC STUDY DURING THE SUMMER MONTHS WILL BE SKEWED. THE SO-CALLED POCKET PARK, THE DEVELOPERS MIGHT BE DONATING TO THE CITY OF -- OF APPROXIMATELY 3 ACRES, WOULD HAVE PRIMARY ACCESS FROM THE DEVELOPMENT, NOT FROM OUR NEIGHBORHOOD, NOT FROM DELL CURTO. ITS PRIMARY FUNCTION WOULD BE AS A POOCH POTTY PARK FOR MORE THAN THE 300 APARTMENT DWELLERS AS WELL AS THE CONDOS, ET CETERA. OF COURSE WITH THE CREEK RUNNING THROUGH IT, WHEN IT RAINS IT WOULD FLUSH RIGHT DOWN TO WEST BOULDIN CREEK AND TOWN LAKE. IT ALSO APPEARS THAT PARK POLICE PATROL, EMERGENCY VEHICLES AND MAINTENANCE ACCESS TO THIS PARK AREA WOULD BE A PROBLEM. I BELIEVE A CHANGE TO VMU ZONING IN THE DEVELOPMENT, WOULD ALLOW THIS LOCATION WOULD BE DETRIMENTAL TO MY NEIGHBORHOOD AND TO SOUTH AUSTIN IN GENERAL. THANK YOU FOR YOUR TIE.

MAYOR WYNN: THANK YOU, MS. PERRY, AND WE'LL NOTE THAT STEWART ALSO SIGNED UP IN OPPOSITION.

THANK YOU.

MAYOR WYNN: OUR NEXT SPEAKER IS SHERRI CORDRI. WELCOME, MISCORDRY AND SOME FOLKS WANTED TO DONATE TIME TO YOU. SHERRI -- IS -- WELCOME BACK. HOW ABOUT AMIR BORDIR: WELCOME. ANDREW URBANES.

HE'S NOT HERE.

MAYOR WYNN: HOW ABOUT COBB PHILLIPS?

HE HAD TO LEAVE AS WELL BUT HE MAY BE BACK.

MAYOR WYNN: SHERRI, YOU'LL HAVE UP TO 9 MINUTES IF YOU NEED IT. WELCOME.

THANK YOU, MAYOR WILL -- SORRY, I'M A LITTLE NERVOUS, BUT I'D LIKE TO THANK YOU FOR THE OPPORTUNITY TO SPEAK TODAY ON SOMETHING THAT'S VERY DEAR TO MY HEART. YOU I KNOW HAVE BEEN HEARING HOOT ABOUT HABIBI HUTCH, AND DAY CARE CENTRAL IN SOUTH AUSTIN AND WE'VE BEEN GOING THROUGH THE PLANNING PROCESS AT THE FIRST PLANNING COMMISSION MEETING WE HAD. AT LEAST 50 PARENTS HERE TO SPEAK. TONIGHT, UNFORTUNATELY WE'VE HAD PARENTS HAVE HAD TO LEAVE FOR CHILD CARE REASONS, AND OUCH BUSINESS REASONS AND WE HAVE FEWER BUT I'D LIKE FOR THEM TO STAND UP, THE PARENTS THAT ARE HERE. AND SOME OF THEM ARE GOING TO SPEAK WITH YOU LATER TODAY. I DID HAVE 15 MINUTES, BUT THE PEOPLE GAVE ME THEIR TIME HAD TO GO TAKE CARE OF THEIR KIDS, PICK UP THEIR CHILD, OR TAKE CARE OF SOME BUSINESS MATTERS. I'M HERE TODAY, AS WE ALL ARE, TO OPPOSE THE PROPOSED ZONING REQUEST, AND WE'RE HERE TO ASK FOR YOUR SUPPORT TO HELP FIND A SOLUTION FOR A VERY BIG PROBLEM THAT IS OCCURRING IN CENTRAL AUSTIN AS WELL AS SOUTH AUSTIN, AND THAT IS THE FACT THAT QUALITY AFFORDABLE DAY CARE IS BEING RUN OUT OF THE CITY BECAUSE IT CANNOT COMPETE IN MARKET FORCE, AND NO ONE IS BEING A BAD GUY HERE, BUT THE FACT OF THE MATTER IS AN AFFORDABLE CHILD CARE FACILITY CANNOT COMPETE WITH THE VM VMU, CANNOT COMPETE WITH A HIGH RISE APARTMENT BUILDING, AND IT'S A FACTOR OF OUR MARKET SYSTEM. AND I WOULD ARGUE THAT A CHILD CARE SYSTEM, A CHILD CARE FACILITY, AN AFFORDABLE ONE, A QUALITY ONE, IS VERY SIMILAR TO A PUBLIC SCHOOL, WHICH RECEIVES PUBLIC MONIES TO RUN. AND UNLIKE A PRIVATE BUSINESS, WHERE THE MARKETPLACE DOES WORK AND THERE'S A LOT OF COMPETITORS, THERE IS NO PUBLIC SCHOOLS FOR PRESCHOOL CHILDREN. PARENTS -- IF THEY NEED CHILD CARE THEY HAVE TO GO SOMEWHERE AND THEY HAVE TO PAY A PRICE. AND WE'RE HERE TODAY BECAUSE HABIBI WILL

NOT BE ABLE TO REMAIN IN ITS LOCATION AND IS STRUGGLING TO FIND A LOCATION THAT IT CAN AFFORD AND STILL REMAIN CLOSE AND ACCESSIBLE TO ITS CLIENT BASE. HABIBI HAS MOVED ONCE ALREADY FROM 5TH STREET AND MOPAC, AND THAT WAS ABOUT TWO YEARS AGO, AND THE MOVE ALMOST KILLED THE SCHOOL BECAUSE IT MOVED AWAY FROM ITS CLIENTS AND JUST THE MOVING COSTS AND THE COSTS OF FIXING UP A FACILITY TO MEET THE CHILD CARE STANDARDS. SO RUNNING A CHILD CARE IS EXPENSIVE. IT'S NOT A HIGH PROFIT VENTURE IN MOST CASES, AND IT'S SOMETHING THAT WE AS A SOCIETY NEED DESPERATELY. THERE HAVE BEEN SOME QUESTIONS ABOUT MEETINGS WITH DEVELOPERS AND THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. THE OWNER OF HABIBI, ANDREW HERBANNES WHO CONDITION BE HERE BECAUSE HIS SON IS GRADUATING, HAS MET SEVERAL TIMES WITH THE DEVELOP ARE BUT HE HAS NOT MET DIRECTLY WITH THE PROCESSOR, WHICH IS STEVE, THE MAN WHO SPOKE EARLIER. HE HAS BEEN WORKING, NEGOTIATING WITH THE DEVELOPER. HE'S BEEN WORKING WITH THE NEIGHBORHOOD ASSOCIATION, AND HE'S BEEN TRYING TO WORK A SOLUTION THAT WILL MEET EVERYBODY'S NEEDS. SO FAR WE HAVE NOT BEEN VERY SUCCESSFUL, AND THERE HAVE BEEN SOME ISSUES WITH THE NEIGHBORHOOD ASSOCIATION WHERE THEY'RE CONCERNED WITH TRAFFIC AND NOISE. WE ACTUALLY THINK THAT THE OFFICIAL NEIGHBORHOOD REQUEST OR RECOMMENDATION DOES NOT REPRESENT THAT OF THE PEOPLE WHO LIVE IN THAT AREA. I FOR ONE AM A PROPERTY OWNER IN THE AREA. MY HUSBAND AND I OWN FOUR UNITS. WE SUPPORT, OBVIOUSLY, THE PRESCHOOL FOR BOTH BUSINESS REASONS, PERSONAL REASONS, AS WELL AS I THINK IT MAKES GOOD PLANNING TO HAVE CHILD CARE THROUGHOUT THE AREA. THE PROPOSED UNITS THAT'S BEING -- THE PROPOSED PROJECT -- I DON'T THINK IT'S MULTI-USE ENOUGH. YEAH, IT HAS TOWNHOMES, IT HAS APARTMENTS, IT HAS CONDOS, IT HAS HIGH-END RETAIL, BUT IT DOESN'T ADDRESS BASIC NEEDS. IT NEEDS TO BE BROADER. IT NEEDS TO HAVE FACILITIES FOR CHILD CARE, OR SOMETHING NEEDS TO BE WORKED OUT WHERE CHILD CARE CAN BE PROVIDED IN THAT AREA. I COULD GO ON ABOUT, YOU KNOW, WHY HABIBI IS SPECIAL, BUT I WON'T. I'LL

JUST LET YOU KNOW THAT IT'S VERY DEAR TO OUR HEARTS. IT'S A UNIQUE SCHOOL. THE UT CHILD CARE FACILITY REQUIRES ALL OF ITS GRADUATES TO GO TO TWO PRESCHOOLS IN THE CITY TO WATCH ONE IN ACTION, AND THE ONE THAT THEY HAVE TO GO TO IS HABIBI BECAUSE OF ITS UNIQUE NATURE. THEY CAN CHOOSE TO GO ANYWHERE ELSE IN ADDITION TO THAT. SO MY QUESTION TO YOU AS OUR CITY PLANNERS, OR OUR COUNCIL MEMBERS, IS WHAT KIND OF CITY ARE WE GOING TO HAVE WHERE WE DO NOT ACCOMMODATE CHILDREN? WE WANT PEOPLE TO LIVE DOWNTOWN. WE WANT PEOPLE TO LIVE NEAR DOWNTOWN, WHICH IS WHERE THIS LOCATION IS, BUT IF WE DON'T PROVIDE CHILD CARE, WHAT ARE YOUNG FAMILIES GOING TO DO? THEY'LL HAVE TO GO MOVE OUT IN THE SUBURBS, OR IF THEY'RE FORTUNATE ENOUGH THEY CAN AFFORD A VERY HIGH END CHILD CARE. SO FOR THE MEDIAN FAMILY WHERE ARE THEY GOING TO TO GO? AND THAT'S SOMETHING THAT'S A POLICY DECISION THAT I'M ASKING YOU-ALL TO SERIOUSLY RECOMMEND AND TO SERIOUSLY STUDY AND TO THINK, WHAT ARE YOU GOING TO DO TO PROVIDE FOR CHILD CARE IN THIS CITY? OTHER CITIES HAVE PROGRAMS. THEY HAVE ZONING REQUIREMENTS. THEY HAVE JUST LIKE CITY OF AUSTIN HAS THE AFFORDABILITY REQUIREMENTS, YOU-ALL COULD DO SOMETHING LIKE THAT. AND IN CLOSING, THERE'S A LOT OF THINGS I WANT TO SAY, BUT IN CLOSING IT'S COME TO MY UNDERSTANDING THAT WITH THE REQUEST OF A CONDITIONAL OVERLAY, AND I MAY NOT SAY THIS RIGHT, FOR THE PARKLAND, THERE IS AN EXISTING SCHOOL THERE THAT WITH A ZONING CHANGE HABIBI COULD ACTUALLY MOVE THERE AND THAT ANDREW YONNER HAS BEEN IN NEGOTIATION TO WORK SOMETHING OUT TO THIS REGARD, TO PROVIDE COMMUNITY ACCESS, A COMMUNITY FACILITY THAT PEOPLE COULD MEET AT, THAT THIS COULD BE DONE IN CONJUNCTION WITH PARKS. NOW, I -- ANDREW IS ALSO -- AS A BUSINESSMAN HE'S LOOKING AT OTHER SITES AND I CANNOT SPEAK FOR HIM TODAY, BUT I URGE YOU TO DO WHAT YOU CAN IN YOUR POWER TO SEE THAT AFFORDABLE QUALITY CHILD CARE CAN BE PROVIDED IN THE CITY. HABIBI IS JUST ONE SITUATION. THERE'S OTHERS ESCOLITAS AND I READ RECENTLY IN THE LIVABLE CITIES WHITE PAPER THAT THEY EMAILED TO YOU EARLIER THIS WEEK, THAT IN THE INNER CITY ZIP CODE THERE'S

BEEN LIKE TEN PRESCHOOLS IN THE LAST COUPLE YEARS THAT HAVE GONE UNDER, BECAUSE AGAIN, THEY ARE THE VICTIMS OF THE MARKETPLACE, AND WE CAN ALLOW THAT TO HAPPEN BUT YET WE CAN -- YOU KNOW, WE MAKE REGULATIONS FOR ENVIRONMENTAL, FOR TRAFFIC REQUIREMENTS, SAFETY REQUIREMENTS, AND CHILD CARE IS JUST AS NEEDED AS ALL THAT. AND IT'S DEFINITELY WITHIN YOUR PREROGATIVE TO DO SOMETHING ABOUT IT. AND I CONCLUDE WITH THAT AND THANK YOU VERY MUCH FOR YOUR TIME AND CONSIDERATION.

MAYOR WYNN: THANK YOU, MS. CORDRY? QUESTIONS, COUNCIL? THANK YOU, SHERRI. NEXT SPEAKER IS NANCY MCCLAIN. SURE. WELCOME, BRIAN. LET'S SEE. IS NAN CLAYTON STILL HERE? I SAW NAN -- NAN, HOW ABOUT PETER HESS? PETER, YES, WELCOME BACK. JOHNBISELL, AND JAN CART RIGHT. JAN, WELCOME. SO BRIAN YOU'LL HAVE UP TO 15 MINUTES. BY THE WAY, I ASKED BECAUSE THE RULES ARE THE FOLKS NEED TO BE PRESENT IN THE CHAMBER IN ORDER TO DONATE THEIR TIME. THEY ALL ARE HERE, BRIAN SO YOU HAVE UP TO 15 MINUTES IF YOU NEED IT.

I DON'T THINK I'LL NEED TAKE LONG. BRIAN KING WITH THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. BEFORE I ADDRESS THIS CASE I WOULD LIKE TO EXPRESS MY GRATITUDE TO COUNCIL'S RECENT ACTION ON GIVING US SOME ADDITIONAL TIME ON THE VMU OPT IN OPT OUT PERIOD. WE'VE HAD THIS CASE AND SEVERAL OTHER ZONING CASES TO WRESTLE WITH, PLUS WE'RE IN THE MIDDLE OF OUR NEIGHBORHOOD PLAN SO WE REALLY APPRECIATE SOME EXTRA TIME BECAUSE WE COME FORTHWITH OUR RECOMMENDATION, WE WANT IT TO BE A GOOD SOLID WELL FOUNDED CASE AND THAT TIME IS IMPORTANT TO US SO THANK YOU VERY MUCH FOR THAT. WHAT WE'RE TALKING ABOUT TONIGHT IS BASICALLY OPTING IN SOME PROPERTY THAT IS NOT IN THAT VMU ORDINANCE. THE CORE TRANSIT CORRIDOR IS SOUTH LAMAR. THAT'S THE MAD 4, AND AS SHOWN ON THE CITY'S WEB SITE FOR THE VMU PROPERTIES, THERE'S ONLY TWO LOTS IN THIS AGGREGATION THAT ARE ACTUALLY VMU PROPERTIES. IT'S ONLY ABOUT 140 LINEAR FEET ON SOUTH LAMAR THAT IS IN THE VMU ORDINANCE NOW. THE BULK OF THIS PROPERTY IS NOT AND THAT'S WHAT WE'RE GOING TO BE TALKING ABOUT

OPTING IN TONIGHT. THERE'S AN ERROR IN THE MAP AND YOU CAN SEE THERE'S ONE ISOLATED ISLAND THERE IN BLUE THAT'S NOT REALLY IN THE ORDINANCE. IT'S CONNECTED TO ANOTHER PIECE OF PROPERTY SO IT HAS NO FRONTAGE ON SOUTH LAMAR. SO IT'S JUST THOSE TWO LOTS UP ON SOUTH LAMAR. WE HAVE TO LOOK AT THIS PROJECT AS AN OVERALL, AS AN AGGREGATE OF THE WHOLE 12 ACRES BECAUSE THAT'S THE WAY THIS THING WORKS. TONIGHT OUR ONLY LOOKING AT THE CS PROPERTY WITH THE CO TO ADD VMU BUT WHAT'S MOST IMPORTANT TO THIS IS THE PROPERTY THAT FRONTS THE NEIGHBORHOOD AND THAT IS THE 3-ACRE PARKLAND WE'VE HEARD MENTIONED BEFORE. ON THIS SLIDE YOU CAN SEE THAT THERE'S A 3-ACRE RECTANGLE, THERE'S A LITTLE MORE SF-3 PROPERTY THERE. IT GOES BACK TO THE NEXT LINE BUT 3 ACRES IS ROUGHLY WHAT WE'RE TRYING TO GET FOR OUR PARKLAND AREA. THE OVERLAY ON TOP OF THAT SLIDE, THE BLUE HASHED AREA IS THE FLOODPLAIN, SO WHAT'S REMAINING THERE, THE TWO GREEN SLIFERS, ARE THE ONLY REAL DEVELOPABLE LAND THAT COULD BE USED FOR A -- IT BUILD TO BUILD ON. IF YOU LOOK AT THOSE TWO SLIFERS, YOU'LL SEE THE NORTH ONE IS 22,000, THE SOUTH ONE 25,000 SQUARE FEET, AND THE FLOODPLAIN TAKES UP ALMOST TWO-THIRDS OF THAT 3 ACRES. ON TOP OF THAT THE DEVELOPERS PROPOSE TO CARVE OUT EVEN MORE OF THAT BY TAKING ACRES OUT OF THE PARKLAND, WHICH WE DESIRE SO. THE BLACK AREA -- AGAIN, THE BLUE AREA IS THE FLOODPLAIN. THE BLACK AREA IS A RETENTION POND THAT THEY WANT TO TAKE OUT OF -- YOU KNOW, AN INOPERATIVE AREA FOR A PARK. FACE THE FACTS. WHEN YOU PUT A POND IN IT'S EITHER GOING TO BE FENCED OFF CONCRETE OR AN AREA THAT'S MARGINALLY USABLE. ON TOP OF THAT THERE'S THE BROWN AREA WHICH IS NOT GOING TO BE DEDICATED PARKLAND. THAT'S GOING TO BE JUST AN EASEMENT THAT NEIGHBORS CAN USE, BUT IT DOESN'T GUARANTEE THAT IN PERPETUITY THAT WE CAN HAVE THAT AS PARK LAND IN THE FUTURE. THE THIRD SECTION THAT'S CARVED OUT IS THE GRAY AREA WHICH IS AROUND THE UNITY CHURCH YOUTH BUILDING AND THE DEVELOPER PROPOSING TO SELL THAT, POSSIBLY TO PARK OR ANYBODY ELSE WHO WANTS TO BUY THAT. SO WHEN YOU GET BACK DOWN TO WHAT ARE WE REALLY SEEING IN

DONATED PARKLAND OUTSIDE THE FLOODPLAIN IS THOSE TWO LITTLE GREEN SLIVERS, THE 22,000, MAYBE 30,000 SQUARE FEET, LESS THAN AN ACRE. WHAT WOULD WE LIKE TO SEE? THE DESIRED RESULT IS A 3-ACRE FEE SIMPLE PARK. IT GOES INTO PARD, IT STAYS IN THERE IN PERPETUITY THAT IT WILL BE PARKLAND. IN THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION NOW, AND THAT'S ON THE MAP THAT YOU SEE NOW AND IT TRUN AT ANY RATED A LITTLE OFF THE BOTTOM HIM. THE BUT PERIMETER IS THE BOUNDARIES OF OUR NEIGHBORHOOD ASSOCIATION, AND WITHIN THAT AREA THERE IS ZERO PARKLAND, NONE. PUBLIC PARKLAND. THERE'S ONE SMALL GREEN DOT IN THE CENTER WHICH IS A PRIVATE HOMEOWNERS ASSOCIATION, TWO LOT OR 3 LOT PARK AND THEN THE GREEN DOT I'VE DRAWN IN IS WHAT WE DESIRE. YOU CAN SEE HOW SMALL THAT IS IN RELATIONSHIP TO THE REST OF OUR NEIGHBORHOOD. WHAT IS OUR NEIGHBORHOOD COMPOSED OF? IT'S ABOUT 500 ACRES. WE'VE GOT OVER 6,000 PEOPLE. WE'VE GOT 2900 HOUSEHOLDS AND NO PARKLAND IN THAT AREA. OUR DENSITY LEVELS ARE ALREADY UP THERE. I SAW THE PRESENTATION LAST NIGHT AND HE WAS TARGETING DENSITY LEVELS OF 12 OR 13 PEOPLE HER ACRE. WE'RE ALREADY AT THAT IN OUR NEIGHBORHOOD AND WE'VE STILL GOT NO PARKLAND. SO WE'RE TALKING ABOUT ADDING 420 RESIDENTS, WHICH IF YOU COMBINE THE CONDOS AND THE VMU PROJECT. SO WE GOT 420 THAT WE'RE GOING TO PUT ON TOP OF THESE NUMBERS AND THIS IS 2,000 NUMBERS. THAT'S THE LATEST OVERLAY THAT WIF. SO WHERE ARE WE NOW? WE'VE HAD NUMEROUS MEETINGS. WE CONTINUE TO HAVE DIALOG. WE'RE NOT THERE YET. WE'VE REVIEWED A PRIVATE RESTRICTIVE COVENANT. WE COULDN'T COME TO TERMS ON THAT. WE ARE WAITING TO A SOLID PUBLIC RESTRICTIVE COVENANT, THE ONE THAT WE SEE NOW, WE SEE A LOT OF HOLES AND LANGUAGE THAT'S FUZZY TO US AND THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION ONLY SUPPORTS THIS OPT IN OF THIS ADDITIONAL PROPERTY IN THE VMU ORDINANCE IF WE HAVE A THREE ACRE FEE SIMPLE PARK. WHAT'S THE QUID PRO QUO TRADE-OFF? WE WANT TO SEE SIGNIFICANT COMMUNITY BENEFIT TO OUR NEIGHBORHOOD BEFORE WE WANT TO OPT IN ADDITIONAL PROPERTIES. AS COUNCIL MEMBER MCCRACKEN AND I DISCUSSED IN ONE OF THE ROAD SHOWS

EARLY ON, WE WANT -- WE NEED TO TEST THE VMU AS AN EVOLVING DYNAMIC ORDINANCE. WE WANT TO SEE -- IT SHOULD BE TESTED ON THOSE PROPERTIES THAT ARE ALREADY IN THE VMU ORDINANCE. WE'VE GOT HUNDREDS OF THEM UP AND DOWN SOUTH LAMAR. IF WE LOOK AT OURS RIGHT NOW, AND WE'RE GOING THROUGH THE OPT IN OPT OUT PROCESS, WE'RE LOOKING AT ABOUT 80% OF THOSE PROPERTIES WE THINK WILL BE APPROPRIATE FOR VMU. THIS PROPERTY IS ON THAT TOP OF THAT, SO IF WE'RE GOING TO ADD THIS ONE IN ON TOP OF EVERYTHING ELSE WHAT'S THE TRADE-OFF? WE'RE LOOKING FOR THREE ACRE PARK. TO SUPPORT THAT. IN EXCHANGE FOR REMOVING A WATER QUALITY POND WHICH IS A NECESSARY ELEMENT FOR THIS DEVELOPMENT BECAUSE IT NEEDS THE SITE AREA TO DEVELOP THAT DENSE 40 SOME ODD CONDOS THAT ARE SCRUNCHED INTO THE F SF-6 AREA. WE'RE LOOKING AT ADDITIONAL HEIGHT OF LAMAR. HOW OFTEN DO YOU SEE NEIGHBORHOOD -- YOU DID SEE ZILKER COMING TO RESOLUTION BY LOOKING FOR ADDITIONAL HEIGHT, WE'RE LOOKING FOR THAT TOO. NEIGHBORHOOD DON'T USUALLY TALK ADDITIONAL HEIGHT. WE ARE NOW. WE'RE CONSIDERING A HIGHER FFM. THE FIVE NEIGHBORHOODS IN OUR PLANNING AREA NOW HAVE PRETTY MUCH LANDED ON 60% MFI ON THE DENSITY BONUSES. WE'RE LOOKING TO MITIGATE THAT SOMEHOW IN A TRADE-OFF FOR THAT PARK. SO WE'RE WORKING SOME GIVE AND TAKE HERE AND WE'RE TRYING TO BE ACCOMMODATING BECAUSE WE KNOW THREE ACRES, EVEN IF IT IS IN THE FLOODPLAIN, HAS VALUE. SO OUR DESIRED RESULTS? THREE ACRE PARK, FEE SIMPLE. THE FLOODPLAIN, LOVELY CREEK THROUGH IT. TO GIVE YOU A FLAVOR OF WHAT THAT PROPERTY LOOKS LIKE NOW, IT'S CURRENTLY UNITY CHURCH. IT IS A PARK. WE REFER TO IT AS A PARK AND WE'RE LUCKY ENOUGH TO BE ABLE TO USE IT BECAUSE WE HAVE OUR NEIGHBORHOOD ASSOCIATION MEETINGS THERE, WE WALK THE GROUNDS, AND IT'S A WONDERFUL, WONDERFUL AMENITY. SEVERAL OF US HAD A MEETING WITH PARD WITH LOREN STEWART AND THEY ARE REALLY DESIROUS OF HAVING THIS PROPERTY IN THE PARK SYSTEM. IT WOULD BE A WONDERFUL AMENITY, AND THEY ACKNOWLEDGE THAT THIS IS A TOTALLY UNDERSERVED AREA FOR PARKLAND. AT THE PRESENT TIME FOR ANYONE TO GO TO PARKLAND WITHIN OUR NEIGHBORHOOD

BOUNDARIES OF OLTORF, SOUTH LAMAR, MANCHACA, BEN WHITE AND BACK UP THE RAILROAD TRACKS YOU HAVE TO CROSS A MAJOR ARTERIAL OR YOU HAVE TO CROSS THE RAILROAD TRACKS TO GET TO ANY PARK FACILITY OR ANY GREEN OPEN SPACE. SO THAT'S WHY. FIVE YEARS AGO WHEN I WAS PRESIDENT OF THE NEIGHBORHOOD ASSOCIATION, NUMBER ONE THING, WE NEED SOME PARKLAND AND WE NEED SIDEWALKS. HERE WE ARE FIVE YEARS LATER, SAME THING. WE'VE GOT A GOLDEN OPPORTUNITY TO DO A WIN/WIN SITUATION AND KEEP THIS JEWEL IN OUR NEIGHBORHOOD BUT WE NEED TO DO IT IN PERPETUITY AND AS A FEE SIMPLE TRANSACTION. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, BRIAN. LET'S SEE, EARLIER I CALLED NANCY MCCLAIN. COME UP WHATEVER ORDER YOU NEED AND STATE YOUR NAME FOR THE RECORD SO --

THAWPG, MAYOR AND COUNCIL MEMBERS.

MAYOR WYNN: TRACK YOU.

I'M CAROL GIBBS, MEMBER OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION AND PAST PRESIDENT.

MAYOR WYNN: HANG ON. CAROL. IS PATTY SPRINKLE HERE?

SHE HAD TO LEAVE.

MAYOR WYNN: YOU'LL HAVE THREE MINUTES. WELCOME.

I WAS APPOINTED TO DO CLEANUP FOR BRIAN BUT I THINK HE DID A GOOD JOB AND YOU'VE GOT YOUR HANDOUTS THERE SO I PROBABLY DON'T NEED TO SPEND A WHOLE LOT OF TIME. I WANT TO RESTRESS A COUPLE THINGS AND THAT IS THAT THIS PROPERTY IS BASICALLY NOT ON THE CORE TRANSIT CORRIDOR, AND I KNOW YOU-ALL HEARD THAT, BUT FOR OTHER NEIGHBORHOODS OUT THERE, AS THEY START SEEING MORE VMU PROPOSALS COME IN, I HOPE WE CAN USE THIS CASE AS AN EXAMPLE TO LEARN BY, BECAUSE THIS HAS BEEN A VERY STRESSFUL PROCESS FOR US. MY UNDERSTANDING IS THE ENTITLEMENTS THAT APPLY TO A PROPERTY THAT'S IN THE CORE TRANSIT CORRIDOR

OVERLAY, THERE'S THAT WHOLE DEAL OF GIVING THEM KIND OF AN EXPEDITED PROCESS. THIS APPLICANT IS EXPECTING THAT SAME EXPEDITION, BUT IT'S NOT ON THE CORE TRANSIT CORRIDOR. IT'S AN EXCEPTION. IT'S AN ALMOST TOTAL OPT OUT. ONLY A CORNER OF IT IS ACTUALLY CORE TRANSIT PROPERTY. SO I THINK THAT'S BEEN THE PART OF OUR CHALLENGE, IS HOW DO WE BALANCE SUPPORTING SOMETHING THAT'S OFF A CORE TRANSIT CORRIDOR. GRANTED, IT'S JUST OFF, BUT LIKE BRIAN SAID IT'S GOING TO BE IN ADDITION TO ALL THE VMU'S THAT ARE GOING TO BE RIGHT ALONG LAMAR. AND SO OUR BALANCE HAS BEEN, OKAY, GIVE US A PARK AND THEN IN EXCHANGE FOR, YOU KNOW, SOME OF THE OTHER DENSITY AND STUFF, LET'S GET THE POND OUT OF THE PARK. YOU KNOW, WE'VE HAD VARIOUS NEGOTIATING POINTS. AND I ALSO WANT TO STRESS, THEY HAVE BEEN WILLING TO WORK WITH US. IT'S BEEN LIKE PULLING TEETH THAT WEREN'T READY TO COME OUT YET, BUT WE HAVE SAID FROM THE VERY GET GO WE WANT A 3-ACRE PARK AND BIT BY BIT THEY HAVE PULLED, AS STIEW SHOWED IN HIS SLIDES, THEY'VE PULLED THOSE UNITS OUT OF THE PARKLAND AND THEY HAVE CLOSED OFF THAT ACCESS TO DELL CURTO. SO I WANT TO GIVE THEM CREDIT FOR THAT. I WILL ACKNOWLEDGE THAT. HOWEVER, IN ORDER TO NAIL DOWN ALL THOSE COMMITMENTS WE'VE GOTTEN SO FAR WE FEEL WE MUST HAVE A PRIVATE RESTRICTIVE COVENANT BECAUSE SOME OF THOSE CONDITIONS THAT HAVE KEPT US AT THE TABLE THIS LONG CANNOT BE, AS I UNDERSTAND IT FROM LEGAL, CANNOT BE IN A PUBLIC RESTRICTIVE COVENANT BECAUSE THEY DON'T RELATE DIRECTLY TO THE PROPERTY WE'RE TALKING ABOUT TONIGHT. THEY RELATE TO ADJACENT PROPERTIES THAT THE SAME DEVELOPER OWNS BUT WE'RE NOT TALKING ABOUT THOSE TONIGHT. SO IN ORDER FOR US TO CONTINUE FEELING LIKE WE'RE AT THE SAME TABLE, WE REALLY NEED HOPE THE APPLICANT WILL CONTINUE TO ENTERTAIN THE IDEA OF A PRIVATE RESTRICTIVE COVENANT AND ONE THAT WE CAN ACTUALLY USE, AND WITH THAT I MEAN WE TYPICALLY NEED SOME KIND OF PERFORMANCE BOND IN ORDER TO BE ABLE TO INITIATE LEGAL ACTION IF THE CONDITIONS OF THOSE PRIVATE RESTRICTIVE -- THE RESTRICTIONS ARE BROKEN. SO I'M HOPEFUL THAT WE CAN GO BACK TO THE PRIVATE RESTRICTIVE COVENANT TABLE IN

ADDITION TO WHATEVER CAN BE PUT IN THE PUBLIC COVENANT. AND I THANK YOU FOR YOUR SUPPORT AND OUR TRILG TRYING TO FIND SOME COMMON GROUND HERE. THANK YOU. COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: I'M REAL INTRIGUED BY WHAT -- I WANT TO LEARN MORE ABOUT IT, THE OFFER OF ADDITIONAL HEIGHT AT LAMAR IN EXCHANGE FOR MOVING THE WATER QUALITY POND. COULD YOU-ALL GIVE US MORE DETAILS ABOUT HOW MUCH EXTRA HEIGHT YOU MIGHT BE TALKING ABOUT?

WE DIDN'T GET VERY FAR INTO THAT, AT LEAST NO DISCUSSIONS THAT I WAS IN ON BECAUSE WHAT WE WERE TOLD PRETTY MUCH AT THE -- AT THE GET GO WHEN WE SUGGESTED THAT WAS THAT THAT WOULD MEAN A DIFFERENT KIND OF CONSTRUCTION BECAUSE OF THE HEIGHT THAT WOULD MEAN, AND THAT WOULD NOT BE AFFORDABLE FOR THEM. HOWEVER, MY UNDERSTANDING SINCE THEN FROM OTHER SOURCES IS THAT THEY DON'T HAVE TO DO THE STEEL CONSTRUCTION ALL THE WAY UP TO THE TOP. THEY COULD DO STEEL CONSTRUCTION FOR A COUPLE FLOORS AND THEN DO THE STICK ON THOSE ADDITIONAL FLOORS THAT WE WERE OFFERING. SO WE HAVEN'T REALLY -- I'M NOT AWARE OF ANY NUMBERS THAT WE'VE DISCUSSED, BUT --

MCCRACKEN: THE PARAMETERS YOU'RE LOOKING AT -- WHAT DO YOU THINK, BRIAN?

I DON'T THINK THERE'S A HARD NUMBER WE TALKED ABOUT. I THINK WHERE WE WERE GOING WITH WAS AN ADDITIONAL STORY AND THE ISSUE THERE BECAME HIGH RISE DEVELOPMENT STANDARDS BUT WE WENT OFF AND TALKED TO OTHER ARCHITECTS AND FOUND OUT IT WOULD BE THE DETERMINATION OF THE CITY WHETHER OR NOT THE WHOLE BUILDING WOULD HAVE TO COMPLY TO HIGH RISE DEVELOPMENT STANDARDS OR IT COULD JUST BE THAT PORTION THAT HAD TO COMPLY. AND THE DETERMINATION WE GOT, THAT THAT IS A -- SOMETHING THAT WOULD BE DERLDDETERMINED BY THE CITY'S BUILDING DEPARTMENT AND THEY HAVE LATITUDE TO GRANT THAT ONE WAY OR THE OTHER. SO IT COULD BE STICK CONSTRUCTION WITH THE FIREPROOFING ON ONLY THE AREAS THAT NEEDED IT.

AND JUST MY PERSONAL THOUGHT ON IT, THOSE WOULD BE PRIMO HIGH RISE LOFTS. THEY WOULD BE THE PREMIUM AND THAT WOULD BE GRAVY. SO THAT'S WHY WE OFFERED THAT UP AS A COMPROMISE TO MAKE UP FOR THE OFFSET.

MCCRACKEN: I'VE SEEN A LOT OF IMPRESSIVE CREATIVE, AND I WAS JUST INTRIGUED ABOUT THAT. THANK YOU.

MAYOR WYNN: THANK YOU ALL VERY MUCH. EARLIER I CALLED NANCY MC MCCLAIN. SHE'S GOING TO HOLD OUT ON ME.

SORRY, MAYOR, WE'RE DOING OUR BEST TO CONFUSE THINGS TONIGHT. MY NAME IS KEVIN LEWIS. I'M A PAST PRESIDENT OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. A CURRENT MEMBER. THANK YOU FOR HAVING US TONIGHT. I'LL BE BRIEF. I WANT TO TALK ABOUT THE BENEFITS OF VERTICAL MIXED USE. I WAS ON THE TASK FORCE THAT WORKED ON THE STANDARDS THAT HAVE BEEN PUT FORWARD. I'VE BEEN AN ADVOCATE OF VERTICAL MIXED USE, BOTH 3 AND 4 YEARS AGO I SPENT A LOT OF TIME DOWN HERE DISCUSSING A CASE NEAR HERE, THE WALGREEN'S CASE, THAT HAD SOME POSITIVE RESOLUTION, BUT WHAT I WAS ARGUING FOR AT THE TIME WAS A PROJECT NOT TERRIBLY DISSIMILAR TO THIS, ALBEIT FULLY ON LAMAR BOULEVARD. BUT I LIKE THE CONCEPT AND I LIKE THE IDEA OF PROVIDING DENSITY ON THE FOUR TRANSIT CORRIDORS, THE ARTERIAL, CLOSE TO DOWNTOWN WHERE PEOPLE CAN TAKE BUSES, WITH COMMERCIAL, SO THAT IT'S NOT DEAD TO THE STREET. YOU DON'T HAVE GATED, LOCKED PARKING LOTS FACING THE STREET, PREVENTING ANY CONVERSATION BETWEEN THE STREET LIFE AND THE USE ON THE LAND. I ALSO DON'T LIKE THE IDEA OF NEW DEVELOPMENT CONTINUING OUR PATTERN OF SINGLE USE COMMERCIAL. AS HAS BEEN POINTED OUT, I COMPLETELY AGREE, THAT'S THE HIGHEST TRAFFIC AND LEAST FORWARD THINKING KIND OF DEVELOPMENT THAT WE COULD DO. I DON'T THINK THAT THE TRAFFIC CHALLENGES OF THIS SITE ARGUE FOR ITS CONTINUED USE IN A SINGLE USE RETAIL BUT RATHER FOR THE KIND OF PROJECT THAT'S BEEN PROPOSED. SO WHY DID I SIGN UP OPPOSED? WE'RE NOT THERE YET ON THE DETAILS. SAYING THAT WE'RE NOT READY ON THE DETAILS OF THIS CASE IS LIKE SAYING I'M

GOING TO REALLY LIKE MY CAR ONCE I HAVE IT DETAILED. WHAT DETAILS? WELL, I NEED WHEELS, I NEED TIRES ON IT. AS CAROLYN AND BRIAN BOTH SAID THEY'RE ABSOLUTELY DEAD ON. THERE ARE PHASING ASPECTS OF THIS PLAN THAT CANNOT BE SPOKEN TO AND ARE CLEARLY NOT SPOKEN TO IN THE LEGAL DOCUMENTATION THAT'S BEEN PUT FORWARD BECAUSE THEY RELATE TO OTHER PIECES OF PROPERTY THAT ARE NOT IN CONSIDERATION TONIGHT. WE'VE HAD DISCUSSIONS WITH DEVELOPERS. THEY'RE WILLING AND INTERESTED IN FILING CASES ON THE OTHER PIECES OF PROPERTY, BUT UNTIL THOSE CASES ARE FILED AND THE APPROPRIATE LEGAL RESTRICTIONS CAN BE IN PLACE, WE WON'T HAVE -- WE WON'T HAVE A DEAL. WE'VE HAD SOME GREAT CONCEPTS BEING DISCUSSED, BUT THE DEAL HAS TO BE CODIFIED CORRECTLY. BRIAN SAID SOMETHING INTERESTING EARLIER. HEHE SAID WE'D LOVE TO BE JOINING HANDS AND SINGING KUMBAYA BUT THE WORDS ON OUR SONG SHEETS ARE KIND OF BLURRY. THEY'RE NOT READY YET. SO I APPRECIATE YOUR WILLINGNESS TO LOOK AT THIS CLOSELY, TO CONSIDER THE IMPORTANT AND LARGE DETAILS CONNECTED TO IT, AND NOT VOTE FOR SECOND OR THIRD READINGS AS WE GO THROUGH THIS PROCESS UNTIL ALL OF THE CITY'S INTERESTS, ALL OF THE NEIGHBORHOODS' INTERESTS ARE FULLY PROTECTED THROUGH THE COMBINATION OF PUBLIC AND PRIVATE RESTRICTIVE COVENANTS AND CLEARLY WE'RE NOT THERE YET. SO THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. LEWIS. WHO'S NEXT? OH, MY GOSH.

GOOD EVENING, COUNCIL, I'M NANCY MCCLAIN. YOU CAN'T LOOK AT THE STUFF THAT STEVE METCALF PRESENTED AND NOT SAY THAT THEY MOVED A LOT. THEY'VE GOT A LOT IN THIS PROJECT. IT'S VERY GOOD, IT'S GOING TO BE GOOD FOR THE NEIGHBORHOOD, BUT AS OTHER PEOPLE HAVE SAID WE'RE NOT THERE YET. WE WORKED A LONG TIME FOR PRIVATE RESTRICTIVE COVENANT. LAST WEEK THEY CHANGED IT AND SAID, NO, THEY WANTED TO GO PUBLIC -- PUBLIC ONE. THE THINGS THAT WE HAVE SEEN IN THE LETTER OF UNDERSTANDING THAT'S A PRECURSOR TO THE PUBLIC THING, SOME OF THOSE THINGS ARE DIFFERENT FROM WHAT MR. METCALF PRESENTED TONIGHT. I MEAN, HE

-- WHAT HE PRESENTED TONIGHT WAS BETTER THAN SOME OF THAT STUFF. IN THE PRECURSOR LANGUAGE WE SAW HE WAS TALKING ABOUT SELLING THE BUILDING. HE SAID, OH, THAT'S ALL DEDICATED PARKLAND. SO HOORAY, IF THAT'S TRUE. BUT MY POINT IS THAT WE DON'T KNOW WHAT'S GOING TO BE IN THE PUBLIC COVENANT. WE DON'T KNOW WHAT'S GOING TO BE IN THE RESTRICTIVE COVENANT. ALL THOSE THINGS ARE THINGS TO BE WORKED OUT YET, AND I WOULD LIKE TO SUGGEST THAT AS THIS GOES FORWARD TO SUBSEQUENT READINGS, THAT YOU KEEP THE PUBLIC HEARINGS OPEN FOR THAT BECAUSE WE DON'T KNOW WHAT'S IN THERE SO WE CAN'T RESPOND TO THEM IN PUBLIC. THAT'S REALLY ALL THAT I HAVE TO SAY.

MAYOR WYNN: THANK YOU, NANCY, FOR YOUR PATIENCE. OUR NEXT SPEAKER IS OSCAR LIPCHECK SIGNED UP WISHING TO SPEAK. ALSO IN ON THAT I GUESS A. DID JEFF JACK, WHO I SAW EARLIER. WELCOME, MR. JACK. ALL RIGHT. OSCAR, YOU'LL BE FOLLOWED BY MR. JACK.

GOOD AFTERNOON, GOOD EVENING. OSCAR LIPCHECK, THE CURRENT PRESIDENT OF SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. I FELT LIKE EL PADRINO STANDING OVER THERE OVER ALL THE PRESENTATIONS, THE TALKS OF THE I WAS SUPPOSED TO BE THE FINAL CLEANUP. I DON'T THINK THERE IS ANY CLEAN NECESSARY. I THINK MY COM PATRIOTS FROM SLNA HAVE PRESENTED EVERYTHING THAT NEEDS TO BE PRESENTED ABOUT IT, SO THANK YOU SO MUCH FOR YOUR TIME. I APPRECIATE IT.

MAYOR WYNN: THANK YOU, MR. LIBCHECK FOR YOUR BREVITY. WELCOME, MR.-- IS BOBBY RIG ANY? SO MR. JACK, YOU HAVE UP TO SIX MIBTS MINUTES IF YOU NEED IT?

I'M PRESIDENT OF THE ZILKER NEIGHBORHOOD ASSOCIATION. HOW OFTEN HAVE YOU HAD A CASE COME BEFORE YOU WHERE YOU'VE HAD FIVE CONCURRENT NEIGHBORHOOD ASSOCIATION PRESIDENTS COME AND SPEAK IN A UNIFIED VOICE ABOUT WHAT THEY WANT IN THEIR NEIGHBORHOOD? IT'S A REMARKABLE THING THAT THIS NEIGHBORHOOD ASSOCIATION HAS THAT CONTINUITY OF VISION AND LEADERSHIP. I WANT TO TALK ABOUT A FEW THINGS. IN 78704, THIS NEIGHBORHOOD IS THE ONLY ONE

WITHOUT PARKLAND. ALL OF THE REST OF OUR NEIGHBORHOODS HAVE PARKLAND. IT'S TIME THAT THEY HAVE SOME GREEN SPACE. THIS IS A GREAT OPPORTUNITY. WE DO HAVE SOME CONCERNS. THE PRESENTATION BY METCALF TONIGHT INDICATED DEDICATED PARKLAND AND INCLUDED THE HOUSE, AND THAT HAS BEEN AN ISSUE THAT I DON'T THINK IS RESOLVED. I WOULD HATE THE COUNCIL TAKE MAKE A DECISION TONIGHT BASED ON THAT PRESENTATION WHEN THE PARKS DEPARTMENT ITSELF HAS NOT COME TO THE CONCLUSION THAT THAT IS A DONE DEAL. AS -- I JOINED THE NEIGHBOR ACROSS LAMAR, WE ARE CONCERNED ABOUT VMU CREEP. WE HAVE A LOT OF OPPORTUNITIES WHERE WE HAVE CORE TRANSIT CORRIDOR STREETS THAT ABUT OTHER MAJOR COLLECTOR STREETS, AND WHETHER OR NOT THERE'S GOING TO BE A PRECEDENT OF HAVING VMU BEGIN TO SLIDE DOWN THOSE SECONDARY STREETS, EVEN THOUGH MANCHACA IS A FAIRLY SIGNIFICANT STREET ITSELF. SO I THINK WE HAVE TO BE VERY CAREFUL THAT IF WE APPROVE THIS PROJECT, THAT WE MAKE SURE THAT THERE IS A SIGNIFICANT COMMUNITY BENEFIT IN EXCHANGE. ONE OTHER ISSUE ABOUT SOUTH LAMAR THAT I THINK WE SHOULD BE TAKING NOTE OF TONIGHT. EARLIER IN THE EVENING YOU APPROVED THE BARTON PLACE PROJECT AT THE NORTH END OF SOUTH LAMAR AND BARTON SPRINGS, AND NOW WE'RE LOOKING AT SOMETHING ABOUT THE MID-PART OF -- TOWARD THE SOUTHERN END OF BARTON SPRINGS ROAD, AND WHILE IT'S ALL NOTED THAT IF YOU DID THIS OUT OF CS AND COMMERCIAL RETAIL OR A BANK OR A DRIVE-THROUGH THE TRAFFIC NUMBERS WOULD BE MUCH GREATER, IT'S THE CUMULATIVE EFFECT OF ALL THESE PROJECTS THAT WE NEED TO BE CONCERNED WITH AS WE LOOK AT DENIESFYING THESE CORE TRANSIT CORRIDORS AND WE HOPE THE CITY WILL STEP FORWARD WITH STAFFING RESOURCES WHO HELP US UNDERSTAND WHAT THE CUMULATIVE EFFECT OF ALL THAT ADDITIONAL DEVELOPMENT IS ALONG SOUTH LAMAR. ISSUE ABOUT CHILD CARE. IT'S A SENSITIVE ONE. IT'S AN IMPORTANT ONE. HOW DO YOU MAINTAIN THE FABRIC OF A COMMUNITY, OF A NEIGHBORHOOD, WHEN YOU BEGIN TO FORCE OUT, BECAUSE OF ECONOMIC SITUATIONS, THOSE THINGS THAT ARE NOT ONLY ICONIC BUT FUNDAMENTAL SERVICES FOR A

NEIGHBORHOOD, FOR A COMMUNITY. CERTAINLY IN OUR SITUATION WITH BARTON PLACE, WE THOUGHT PRESERVING THE RESTAURANTS WAS A SIGNIFICANT COMMUNITY BENEFIT, KEEPING THE FABRIC OF OUR NEIGHBORHOOD TOGETHER, AND CERTAINLY HABIBI IS AN ISSUE IN THIS NEIGHBORHOOD. SO I THINK THERE NEEDS TO BE FURTHER CONSIDERATION ABOUT HOW YOU MAINTAIN IN A GREAT BIG NEW DEVELOPMENT A PIECE OF THE COMMUNITY FABRIC THAT IS IMPORTANT. I WANT TO SAY THERE'S A DIFFERENCE BETWEEN THE BARTON PLACE PROJECT AND THIS, AND I THINK WE WERE VERY FORTUNATE. I'M NOT NAIVE ENOUGH TO THINK THAT WE WON THIS BATTLE WITH BARTON PLACE BECAUSE OF THE NEIGHBORHOOD ASSOCIATION ALONE. WE WERE LUCKY THAT RICK ENGLE, IS A LOCAL BUSINESSMAN THAT WANTS TO DO GOOD IN HIS COMMUNITY. WE WERE LUCKY THAT PERRY LORENZ IS A LOCAL DEVELOPER THAT WANTS TO MAINTAIN HIS REPUTATION IN THIS COMMUNITY. SO THEY REALLY WENT AFTER TRYING TO WORK A SOLUTION FOR US. THERE'S A DIFFERENCE HERE. CYPRUS DEVELOPMENT IS A BIG NATIONAL FIRM THAT HAS VERY LITTLE CONNECTIVITY TO THIS COMMUNITY. THEY'RE CONNECTIVITY IS LOOG LOOKING AT A POTENTIAL MARKET AND I THINK THAT DRIVES A LOT OF WHAT'S HAPPENING, BECAUSE AS AN ARCHITECT I WILL TELL YOU, AND WE'VE SEEN IT OVER AND OVER AGAIN, THE KEY ISSUE IS BUILDING TYPE. THEY'VE COME IN WITH A BUILDING TYPE THAT THEY'VE FOUND A WAY TO AGGREGATE PARCELS OF LAND AND PUT THAT BUILDING TYPE. THEY DON'T INDICATE THAT THEY WANT TO GO ABOVE 60 FEET BECAUSE OF SOME DISCUSSION ABOUT BUILDING CODE STANDARDS, BUT BARTON PLACE IS GOING 75. WITH THAT EXTRA 15 FEET AT THIS SITE YOU WOULD RESOLVE THE ISSUE OF TO SAY CONDOMINIUMS ON THE BACK AND ALLOW THERE TO BE THE THREE ACRES OF CLEAR FEE SIMPLE LAND FOR THE PARK. SO WHY NOT LOOK AT THAT OPTION A LITTLE BIT MORE THOROUGHLY? WHY? BECAUSE THEY HAVE A BUILDING TYPE THEY WANT TO PUT ON THIS PIECE OF PROPERTY. NOT WILLING TO REINVESTIGATE THAT. THE LAST THING IS AN ISSUE BETWEEN THE PRIVATE RESTRICTIVE COVENANT AND THE PUBLIC RESTRICTIVE COVENANT AND AGAIN I'LL REFER TO OUR AGREEMENT WITH BARTON PLACE. THAT FINAL READING, WE HAVE AGREED WITH THE DEVELOPER WOULD

NOT GO FORWARD UNTIL THEY BECOME OWNERS OF THE PROPERTY AND THE RESTRICTIVE COVENANT GOES INTO EFFECT. I THINK THIS IS AN APPROPRIATE VEHICLE, AND AS NANCY WAS SAYING, KEEP THE PUBLIC HEARING OPEN BECAUSE WE ARE NOT SURE WHAT IS GOING TO HAPPEN WITH REGARD TO THE NEGOTIATIONS ABOUT THE PARKLAND, ABOUT THE HEIGHT OF THE BILLION, ABOUT HABIBI'S, AND A WHOLE BUNCH OF OTHER THINGS THAT AS YOU WORK THROUGH A SECOND AND THIRD READING YOU CERTAINLY WANT TO BE HAVING THE PUBLIC'S INPUT AVAILABLE. WE COULD SET TONIGHT A TRANSMIT PRECEDENT FOR THE ENTIRE CITY, WHAT WE ACCOMPLISHED AT BARTON PLACE AND WHAT COULD BE ACCOMPLISHED WITH THIS DEVELOPMENT, WITH CYPRUS, COULD BE HALLMARKS, NOT ONLY FOR VMU, BUT FOR OUR NEIGHBORHOODS ALL OVER. THANK YOU.

MAYOR WYNN: THANK YOU, MR. JACK. ALLISON PARMA, OUR NEXT SPEAKER? ALLISON PARMA SIGNED UP WISHING TO ?E OPPOSITION, AS DID LONNI. GLASSCOCK. IS JENNIFER HERE? HOW ABOUT ADAM MILLER? HELLO, ADAM. WELCOME. TO LONEY, YOU'LL HAVE UP TO SIX MINUTES.

MY NAME IS LONIE GLASSCOCK. I AM A MEMBER OF THE BARTON OAKS NEIGHBORHOOD ASSOCIATION WHICH IS LOCATED DUE SOUTH OF THE PROPOSED DEVELOPMENT, AND I'M ALSO A PARENT OF CHILDREN WHO ATTEND HABIBI'S HUTCH. SO I HAVE A COUPLE OF CONCERNS WITH THE PROPOSED DEVELOPMENT AND THE VMU OPT IN CONSIDERATION. I'D LIKE TO STATE THAT I DO SUPPORT VMU AND ITS PHILOSOPHY AND I THINK VMU IS A SMART THING FOR AUSTIN AND I SUPPORT IT IN OUR AREA SPECIFICALLY AS WELL. I JUST HAVE A COUPLE OF CONCERNS WITH THIS SPECIFIC DEVELOPMENT PROPOSAL. THE FIRST IS IN RELATION TO BEING A PARENT OF CHILDREN AT HABIBI'S HUTCH. THERE IS -- AS IT STANDS TODAY THERE ARE TWO SCHOOLS ON THE PROPERTY THAT STAND TO BE DISPLACED, BOTH HABIBI'S HUTCH AND AUSTIN ECO SCHOOL, AND AS SHERRI HAD MENTIONED EARLIER, A LOT OF THE CHILD CARE SERVICES I FEEL ARE BEING PUSHED OUT OF CENTRAL AUSTIN, WHICH IS ULTIMATELY RESULTING IN MORE COMMUTES REQUIRED FOR PARENTS OF YOUNG CHILDREN, AND THAT TO ME SEEMS COUNTER TO THE VMU

PHILOSOPHY OF TRYING TO REDUCE COMMUTES AND MAKE THINGS MORE PEDESTRIAN FRIENDLY. THE SECOND ISSUE I HAVE WITH THIS PROPOSED DEVELOPMENT IS ONE AROUND TRAFFIC SAFETY IN THE AREA. THIS PART OF TOWN, THIS PARTICULAR INTERSECTION OF MANCHACA WITH BOTH LIGHTS AND LAMAR, IS ALREADY A QUITE DANGEROUS INTERSECTION. THERE'S A COMBINATION OF HILLS, CURVES AND RIGHT ANGLE INTERSECTIONS ALL IN ONE SPOT. THERE'S SEVERAL BLIND SPOTS, AND I HAVE A PERSONAL EXPERIENCE RELATED TO THE SAFETY IN THIS PARTICULAR AREA. THESE ARE MY TWO CHILDREN. TWO YEARS AGO I WAS RIDING MY BICYCLE DOWN THE SIDEWALK. ABOUT A HUNDRED FEET SOUTH OF THE PROPOSED DEVELOPMENT, WHILE PULLING A BICYCLE STROLLER WITH MY CHILDREN INSIDE IT WHEN IT WAS STRUCK BY A CAR ENTERING INTO A DRIVEWAY. THE CAR HIT THE STROLLER AND IT FLIPPED OVER AND FORTUNATELY IT GOT PUSHED OUT TO THE SIDE AND ULTIMATELY THE CHILDREN WERE FINE. THE EMS AND POLICE CAME AND SO FORTH. BUT IT WAS A VERY TRAUMATIC EXPERIENCE AND, YOU KNOW, I WAS IN THE RIGHT IN TERMS OF BEING ON THE SIDEWALK AND -- COULD YOU PUT THE NEXT DOCUMENT UP? I HAVE HERE A COPY OF THE TRAFFIC ACCIDENT REPORT, AND YOU CAN SEE HERE THAT, YOU KNOW, THAT THE FIRST PARAGRAPH THERE ALLUDES TO A DESCRIPTION OF THE COLLISION OCCURRING ON THE SIDEWALK ITSELF. THE SECOND PARAGRAPH IS THE DRIVER'S ACCOUNT WHERE HE INDICATED THAT HE DIDN'T SEE THE STROLLER BECAUSE HE WAS LOOKING FOR OTHER VEHICLES. AND THEN FINALLY EVEN THE OFFICER'S NOTES INDICATE THAT THE LOCATION OF THE COLLISION, IT'S DIFFICULT TO SEE COMING CARS BECAUSE OF THE SHARP CORNER AND THE HILL ON MANCHACA, AND I THINK IT MAKES MY POINT THAT AS IT STANDS DAY IT'S ALREADY A QUITE DANGEROUS INTERSECTION. I UNDERSTAND THE ARGUMENT FOR VMU BEING -- PRODUCING A LOWER TRAFFIC COUNTY THAN A COMMERCIAL -- OR A WORST-CASE SCENARIO COMMERCIAL DEVELOPMENT COULD, BUT THE FACT OF THE MATTER IS ANY HIGH DENSITY DEVELOPMENT AT THIS AREA IS GOING TO MAKE THIS TRAFFIC ENVIRONMENT EVEN MORE DANGEROUS THAN IT IS TODAY UNLESS APPROPRIATE INFRASTRUCTURE IS PUT IN. THIS THIRD DOCUMENT IS A REPORT OF COLLISION REPORTS IN

THIS AREA OVER THE PAST FIVE YEARS, AND YOU CAN SEE 126 COLLISIONS THERE TOTAL, AND SEVERAL OF THOSE IN THE BOTTOM LEFT-HAND CORNER WERE BICYCLE AND PEDESTRIAN-RELATED ACCIDENTS. AND AGAIN THE CONCEPT OF VMU, WANTING TO PROMOTE PEDESTRIAN FRIENDLY ENVIRONMENT, I THINK THAT A LOT NEEDS TO BE DONE AT THIS PARTICULAR SITE FOR THAT TO HAPPEN, AND I HAVEN'T SEEN ANYTHING YET THAT CONVINCES ME THAT THE APPROPRIATE INFRASTRUCTURE WOULD BE PUT IN TO ACCOMMODATE THAT. I WOULD BE MORE LIKELY TO SUPPORT VMU DEVELOPMENT AT THIS SITE AS LONG AS STEPS WERE TAKEN TO ACCOMMODATE BOTH THE SCHOOLS ON THE SITE AND AS LONG AS APPROPRIATE MEASURES WERE TAKEN TO KEEP THE AREA SAFE. AND I'D LIKE TO SEE THE CITY MAKE VMU CONTINGENT ON A PUBLICLY REVIEWABLE TRAFFIC STUDY AND CONTINGENT ON ACCOMMODATING THE SCHOOLS ON THE PROPERTY. THANK YOU.

MAYOR WYNN: THANK YOU, MR. GLASSCOCK. ELAINE SIGNED UP WISHING TO SPEAK IN ON THAT OPPOSITION AS IS RICHARD MARTIN. WELCOME, MR. MARTIN. APPARENTLY LORRAINE LEFT. WE'LL SHOW HER IN OPPOSITION FOR THE RECORD. YOU'LL HAVE THREE MINUTES AND BE FOLLOWED BY LISA WINNINGHAM.

THANK YOU MAYOR AND COUNCIL MEMBERS. I'M A PARENT AND MY DAUGHTER ATTENDS HABIBI'S HUTCH. IT'S A WONDERFUL PRESCHOOL IN THE SOUTH LAMAR NEIGHBORHOOD. WE -- WELL, I PERSONALLY AND A NUMBER OF THE PARENTS AND THE PEOPLE AT THE HUTCH APPRECIATE THIS DEVELOPMENT AND THINK THAT THERE ARE MANY GOOD THINGS THAT ARE -- THAT IT WILL BRING TO THE NEIGHBORHOOD, BUT WE'RE CONCERNED ABOUT LOSING THE PRESCHOOL. THE PRESCHOOL HAS VERY LIMITED BUDGET. IT'S ALREADY MOVED ONCE AND FINANCIALLY STRUGGLED TO DO THAT. THE -- THIS MOVE COULD, YOU KNOW, CAUSE THE END OF THE PRESCHOOL. WE'RE SEEING OTHER PRESCHOOLS BEING MOVED OUT OF THE DOWNTOWN NEIGHBORHOOD NEIGHBORHOOD. YOU KNOW, IT'S A UNIQUE SCHOOL. A COUPLE OF PEOPLE EARLIER HAVE TALKED ABOUT SOME OF THE, YOU KNOW, PARTICULAR HIGH POINTS OF THE SCHOOL. YOU KNOW,

MAYOR AND COUNCIL MEMBER MCCRACKEN, YOU BOTH EARLIER TALK ABOUT VMU AND HIGH DENSITY, DOWNTOWN BEING A GOOD THING TO HELP WITH THE GROWTH OF AUSTIN, AND I AGREE WITH THAT, AND YOU BOTH TALKED ABOUT BEING ABLE TO WALK TO LOCAL BUSINESSES AND TO SCHOOLS, AND WHAT WE'RE SEEING IS A NUMBER OF THESE PRESCHOOLS ARE BEING MOVED FURTHER AND FURTHER OUT OF THE CITY. I LIVE IN THE ZILKER NEIGHBORHOOD, AND SO FOR ME I'M GOING TO HAVE TO, YOU KNOW, DRIVE MY DAUGHTER A COUPLE OF MILES, YOU KNOW, FURTHER FROM THE NEIGHBORHOOD TO HER PRESCHOOL AND THEN GO BACK TO MY BUSINESS, WHICH I OWN AND OPERATE DOWNTOWN AUSTIN, AND THEN AT THE END OF THE DAY MAKE THAT REVERSE TRIP. SO IT INCREASES TRAFFIC FOR ME AND OTHER PARENTS WITH KIDS IN THE NEIGHBORHOOD. I THINK THAT THIS PROJECT COULD BE A WONDERFUL PROJECT, BUT WE'RE NOT THERE YET. LIKE A COUPLE OF THE NEIGHBORHOOD ASSOCIATION MEMBERS HAVE MENTIONED, THE OWNER OF HABIBI'S HUTCH HAS BEEN TALKING WITH CYPRUS, THE DEVELOPER, I UNDERSTAND. I THINK THAT THEY HAVE MADE SOME POSITIVE MOVES FORWARD, BUT THERE IS NO ASSURANCE, THERE'S NO GAME PLAN FOR WHERE THE HUTCH IS GOING TO END UP BEING. ONE POSSIBLE LOCATION IS THE EXISTING PRESCHOOL NEXT TO THE UNITY CHURCH ON DEL CURTO. IT'S A FABULOUS LOCATION. IT WOULD ACTUALLY TAKE AWAY FROM PART OF THE THREE ACRE PARK THAT THE NEIGHBORHOOD IS LOOKING FOR, AND SO THAT'S AN OBSTACLE THAT NEEDS TO BE OVERCOME, BUT IT SEEMS LIKE AN IDEAL LOCATION. OUR UNDERSTANDING IS THAT UNITY CHURCH AND THAT ECO SCHOOL ARE PLANNING TO RELOCATE, AND SO IF THAT HAPPENS, THEN WE WOULD LIKE TO, YOU KNOW, TAKE THEIR PLACE. A NUMBER OF PARENTS HAVE TALKED TO NEIGHBORS AND SEEN SOME SUPPORT. THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, RICHARD. LISA WINNINGHAM?  
MA'AM?

HI. THANKS. I DON'T FIND ANYTHING ABOUT CHILD CARE AFFORDABLE. IT'S REALLY EXPENSIVE, WHETHER IT'S CHEAP DAY CARE OR A REALLY GREAT PRESCHOOL, LIKE HABIBI'S, AND I THINK MOST PEOPLE WERE WILLING TO PAY A LITTLE

BIT EXTRA WHEN IT'S GREAT. I'VE RELOADED TO AUSTIN LESS THAN A YEAR AGO FROM HOUSTON. I HAD TO GET OUT OF THE INNER LOOP BECAUSE OF THE NUMBER OF GROWING CONDOS IN ALL DIRECTIONS AND THE TRAFFIC AND THE IMPOSSIBILITY THAT LED TO BIKING AND WALKING WITH MY CHILD. I PRESENTLY LIVE AT 3204 MANCHACA, WHICH IS ABOUT TWO BLOCKS FROM THE INTERSECTION OF LAMAR AND MANCHACA. IN THE SHORT TIME THAT I'VE RESIDED THERE, ALMOST A YEAR, I HAVE DEFINITELY COME TO BELIEVE IT TO BE A VERY DANGEROUS INTERSECTION AS WELL. I TRY TO WALK MY DAUGHTER AND OUR DOG IN THE MORNING TO HABIBI, WHICH IS RIGHT ACROSS THE STREET, AND MANY TIMES HAVE ALMOST BEEN HIT BY TRAFFIC COMING AROUND THE CURVES AND THE BLIND SPOTS. IT'S A SCARY LOCATION, AND I HAVE A LOT OF RESPECT FOR WHAT MAYOR WYNN SAID EARLIER, AUSTIN IS GROWING. IT'S ONE OF THE MOST DESIRABLE CITIES, I THINK IF MY INFORMATION IS CORRECT, ALMOST IN THE COUNTRY TO LIVE IN. BUT I DON'T THINK THAT ONE OF THE THINGS THAT MAKES IT MOST DESIRABLE TO LIVE IN ARE BIG TOWERING CONDOS OUTSIDE OF DOWNTOWN. I THINK SCHOOLS LIKE HABIBI'S HUTCH ARE ONE OF THE REASONS THAT MAKE AUSTIN SO DESIRABLE. I KNOW PEOPLE HAD BEEN TELLING ME ABOUT IT FOR YEARS. THAT'S ONE OF THE BIG REASONS I MOVED TO AUSTIN, AS WELL AS WANTING TO BE IN MORE OF A CHILD FRIENDLY COMMUNITY AND CULTURE AND PET FRIENDLY AND DOG FRIENDLY AND ALL THAT STUFF. I THINK IT'S REALLY SAD TOO, THERE'S SO MANY DIVIDED GROUPS OF PEOPLE TALKING TODAY. I'VE BEEN TO THE NEIGHBORHOOD ASSOCIATION MEETINGS. I'VE HEARD THE CONTRACTORS TALK AT THOSE MEETINGS. I'VE BEEN HERE A FEW TIMES AND IT DOESN'T SEEM LIKE WE'RE GETTING TOGETHER AS A GROUP TO TRY TO RESOLVE THIS. WE'RE RELYING ON YOU-ALL TO MAKE SOME BIG DECISIONS FOR US. IT SEEMS LIKE THERE'S A LOT OF PARTIES THAT HAVE THEIR OWN PERSONAL INTERESTS INVOLVED, BUT I HOPE THAT WE CAN REACH A CONCLUSION THAT WILL NOT ONLY SOLVE THE CITY'S NEED FOR MORE HOUSING BUT ALSO RETAIN SOME OF AUSTIN'S CULTURE AND UNIQUENESS THAT MAKES IT ONE OF THE MOST POPULAR PLACES TO LIVE. I DON'T ALSO FIND ANYTHING AFFORDABLE ABOUT CONDOS. I'M HAVING TO MOVE RIGHT NOW BECAUSE THEY'RE

TURNING MY APARTMENT INTO HOOD CONDOS. I'M BEING FORCED OUT. THEY'RE BUILDING SOME ACROSS THE STREET THE STREET WHERE FROM WHERE I LIVE. I'M AFRAID WE'RE GOING TO END UP WITH EXPENSIVE CONDOS THAT PEOPLE LIKE ME CAN'T AFFORD TO LIVE IN. ENOUGH SAID, THANK YOU FOR YOUR TIME TONIGHT. IT'S A PRIVILEGE TO TO BE HERE.

MAYOR WYNN: THANK YOU, MS. WINNINGHAM. GLAD YOU'RE IN AUSTIN. AND A HANDFUL OF FOLKS SIGNED UP NOT WISHING TO SPEAK BUT ALSO IN OPPOSITION. THOSE WOULD INCLUDE MARK DECKER, NANCY KEYHOA AND MARGARET THEY ALSO SIGNED UP IN OPPOSITION. THAT'S ALL THE FOLKS THAT SIGNED UP WISHING TO ADDRESS US ON THIS CASE SO AT THIS TIME WE WELCOME BACK THE APPLICANT'S AGENT, MR. METCALF, TECHNICALLY FOR A ONE TIME THREE MINUTE REBUTTAL, BUT OFTENTIMES COUNCIL WILL HAVE A NUMBER OF QUESTIONS OF THE APPLICANT ABOUT MORE SPECIFICS, AND ANYBODY ELSE FOR THAT MATTER. AND SO WE'LL SET THE CLOCK FOR THREE MINUTES, BUT KNOW THAT THERE'S PROBABLY LOTS MORE TO BE ADDED, MR. METCALF.

HOLD ON JUST A SECOND AND LET HER GET THAT -- IT'S READY. THERE WE GO. I THINK PART OF WHAT GETS ANSWERED HERE WHEN YOU LOOK AT THIS PROJECT IS THERE'S REALLY THREE ALTERNATIVES THAT ARE GOING TO HAPPEN AT THIS SITE. ONE OF THEM IS YOU'RE GOING TO HAVE VERTICAL MIXED USE, WHICH IS OUR PREFERRED DEAL, OBVIOUSLY. ONE OF THEM IS -- ANOTHER ALTERNATIVE IS WE COULD HAVE A MIXED USE WHERE WE DON'T DO THE VMU DENSITIES, WITH THE AFFORDABLE HOUSING BUT YOU DO A MIXED USE. THE SITE COULD REMAIN CS AND GET REDEVELOPED AS A CS PROJECT WITH JUST YOUR TYPICAL SHOPPING CENTER. YOU NOTICE -- I DON'T LIST A FOURTH ALTERNATIVE, STATUS QUO BECAUSE THAT'S NOT GOING TO HAPPEN. THIS SITE IS GOING TO GET REDEVELOPED AND WE'VE GOT TO DECIDE WHAT'S THE BEST WAY. AND QUESTIONS ON TRAFFIC REALLY GET ANSWERED I THINK BY THE VMU'SU'S PRODUCE THE LEAST AMOUNT OF TRAFFIC. IF YOU'RE GOING TO LEAVE THIS A CS, IF YOU HAVE A CS PROJECT HERE, ANY KIND OF TRAFFIC CONCERNS ARE GOING TO BE MULTIPLIED BY 3 OR 4 TIMES.

HABIBI'S HUTCH. IT SOUNDS LIKE A GREAT SCHOOL. SOUNDS LIKE A REALLY NEAT AUSTIN BUSINESS. IT'S BEEN IN THE SITE FOR TWO YEARS. THE FIRST 13 -- I'VE SEEN IT'S BEEN IN EXISTENCE 25 YEARS. I'M NOT SURE WHERE THE FIRST 13 YEARS WERE. WE KNOW THEY SPENT TEN YEARS IN CLARKS VILLAIN MOVED THE SITE TWO AND A HALF YEARS AGO. THEY HAVE TWO AND A HALF MORE YEARS LEFT ON THEIR LEASE. WE HAVE TO -- WE'RE NEGOTIATING WITH THEM NOW. WE'VE PRESENTED TWO SITES RECENTLY. A COUPLE OF THEM I'M UNDERSTANDING THERE'S SOME INTEREST FROM THE OWNER IN. WE'VE ALSO OFFERED TO MOVE THE BUILDING. IF THEY LIKE THAT HUTCH ITSELF, WE'RE GOING TO PICK IT UP AND PUT IT ON ANOTHER PIECE OF PROPERTY. WE'RE MOTIVATED TO DO THAT. THEY'VE GOT TWO AND A HALF YEARS LEFT ON A LEASE THAT IF WE DON'T DO SOMETHING WITH THEM, THEY GET TO SIT THERE AND WE CAN'T DO OUR PROJECT. WE TALK ABOUT THIS MAPPING ISSUE FOR A SECOND REAL QUICK AND I KNOW THERE WILL BE MORE ISSUES THAT COME UP ON THAT. THAT WOULD BE SLIDE 46. I WAS ALSO INVOLVED IN THAT VMU TASK FORCE FOR A LONG TIME AND THIS WHOLE THING ABOUT THESE MAPS THAT CAME OUT, THE MAPS ARE HARD TO UNDERSTAND. THERE WASN'T ANY CLEAR DIRECTION ON WHAT WAS IN THOSE MAPS. 546 -- WHAT WAS IN THOSE MAPS. ALL IT SAID IS THERE WERE GOING TO BE SITES ON A CORE TRAPS IT CORRIDOR. WELL, IF YOU LOOK AT THIS SITE THE WAY IT IS NOW, AND IF THE MAPPING GUYS LOOKED AT IT THE WAY IT WAS AS ONE PIECE OF OWNERSHIP, THEY WOULD HAVE PUT IT IN THE CORE. IT WOULD HAVE BEEN A CORE TRANSIT CORRIDOR SITE. SO I THINK THERE ARE SOME REAL QUESTIONS. I'D BE HAPPY TO ANSWER MORE ABOUT THAT. STAFF CAN ANSWER QUESTIONS ABOUT THAT.

59. PARKLAND, THIS IS -- THERE'S SOME REAL CONFUSION HERE TOO. THE MAPS THAT -- AND YOU CAN BARELY SEE THE RED OUTLINE ON THIS, AT LEAST ON THE SCREEN UP THERE, BUT THAT'S WHERE -- THAT'S WHERE THE AREA IN THE FLOODPLAIN IS. IT'S 1.8 ACRES OUT OF THE 3.2. ALSO KEEP IN MIND THAT JUST BECAUSE IT'S IN A FLOODPLAIN DOESN'T MEAN IT'S GOOD PARKLAND. DO YOU WANT ALL YOUR PARKLAND TO LOOK FLAT LIKE A SOCCER FIELD OR DO YOU WANT SOME ROLLING, SOME HILLS, SOME SLOPE TO IT? IT DOESN'T HAVE TO BE OUT OF THE FLOODPLAIN TO BE

USEFUL PARKLAND. MY THREE MENTS ARE UP SO MINUTES ARE UP.

MAYOR WYNN: QUESTIONS, COMMENTS FOR MR. METCALF? COUNCIL MEMBER KIM. KIM CHEM ITALKED CEM YOU TALKED ABOUT THE TRAFFIC ISSUES THAT ARE BROUGHT UP, I GUESS SOMEONE DIDN'T SEE A STROLLER, AN OFFICER SAID IT WAS A DANGEROUS INTERSECTION, OR AT LEAST THERE WERE SOME BLIND SPOTS OVER THERE.

YEAH, AND I CAN PUT UP -- I CAN PUT UP THE DRAWING AGAIN THAT WE HAD OF THAT -- THE PICTURE WE HAD OF THE INTERSECTION OF THE -- OF THE IMPROVEMENTS THAT ARE BEING TALKED ABOUT RIGHT NOW, AND THESE IMPROVEMENTS ARE BEING TALKED ABOUT NOT JUST BY US BUT I THINK STAFF HAS BEEN LOOKING AT THE ISSUES. THE TRANSPORTATION DEPARTMENT. AND WHAT YOU'LL SEE IS PART OF THE PROBLEM IS THAT THAT STOP BAR ON MANCHACA IS TOO CLOSE, OR IT'S TOO FAR OFF THE INTERSECTION. SO THERE'S A BLIND SPOT. SO ONE OF THE THINGS YOU DO IS YOU EXTEND -- YOU SEE THAT KIND OF COLORED IN AREA, YOU EXTEND THAT LITTLE MEDIAN OR THAT CURB OUT AND THEN YOU MOVE THE STOP BAR CLOSER TO THE INTERSECTION, AND THAT WAY IT WILL HELP TAKE AWAY THOSE BLIND SPOTS. ALSO, WE NEED TO CHANGE THE PHASING OF THE TRAFFIC SIGNALS HERE TO HAVE A COMPLETE PROTECTED LEFT GOING EACH WAY, SO YOU DON'T HAVE CONFLICTING LEFTS HAPPENING AT THE SAME TIME. AND ALSO THERE NEEDS TO BE SOME RESTRIPING DONE THAT WILL CREATE AT LEAST ONE MORE THROUGH LANE AND POSSIBLY YOU'LL SEE SORT OF A LEFT TURN LANE THAT WE COULD POSSIBLY CREATE. SO THERE ARE SOME NEW -- THERE ARE SOME IMPROVEMENTS THAT NEED TO HAPPEN AT THE INTERSECTION. THERE'S GOING TO BE A FULL-BLOWN TIA DONE WITH THIS. IT WILL BE DONE AT THE ZONING STAGE, BECAUSE REMEMBER WE'RE GOING TO DOWN ZONE THESE AT THE REQUEST OF THE NEIGHBORHOOD AND WE'RE ALSO GOING TO HAVE A SITE DEVELOPMENT PERMIT AND AT THAT TIME ALL THESE TRAFFIC IMPROVEMENTS WILL GET FINALIZED BUT THAT IS DEFINITELY GOING TO BE PART OF THE PROCESS AND THERE ARE LOTS OF IMPROVEMENTS THAT COULD POSSIBLY HAPPEN HERE. THESE ARE JUST SOME OF THE

EXAMPLES OF THINGS THAT WE'RE THINKING ABOUT TO MAKE THE INTERSECTION WORK BETTER BETTER.

MAYOR WYNN: OTHER QUESTIONS, COMMENTS? COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: THE -- I GUESS A QUESTION, STEVE, THAT HAD COME UP WAS WHEN THE ZONING CASE COULD BE FILED FOR THE OTHER TWO PARCELS THAT ARE PART OF THIS DEVELOPMENT THAT YOU-ALL I THINK ARE DOWN ZONING OR WANTING THEM DOWN ZONED.

I HATE TO PUT MY TRAFFIC CONSULTANT ON THE SPOT, BUT AS SOON AS HER TIA IS DONE, WE'RE FILING IT.

MCCRACKEN: OKAY. AND THEN DO YOU HAVE AN IDEA OF HOW MANY EXTRA UNITS OF HOUSING IS BEING MADE POSSIBLE BY THE DENSITY BONUS IN EXCHANGE FOR AFFORDABLE HOUSING?

YEAH, I HAVE A -- I HAVE A SLIDE THAT ACTUALLY SHOWS THE DIFFERENCE BETWEEN THAT. 41. 41. LET ME JUST READ IT. THERE IT IS. IF WE DID JUST A MIXED USE, WE DIDN'T DO THE VMU, WE DID A MIXED USE, YOU COULD GET 380 UNITS. THAT WOULD BE ON THAT WHOLE 9 EABLG9-ACRE PIECE, SO IT'S NOT JUST THE VMU PIECE. IT WOULD BACK TO WHERE THE TOWNHOMES ARE. WHERE IF YOU DO A VMU PROJECT WE CAN GET THE 360, 20 LIVE/WORK PLUS THE 24 TOWNHOMES. SO THE DIFFERENCE IN TOTALLY DENSITY IS ABOUT -- WHAT IS THAT, ABOUT 30 OR 40 UNITS? OF COURSE WHEN YOU DON'T DO THE VMU, YOU DO THE MU, YOU DON'T GET THE AFFORDABLE HOUSING AND OTHER THINGS THAT COME ALONG WITH THE VMU.

MCCRACKEN: AND MY NEXT QUESTION IS, I SEE WARREN STRUCE IN THE AUDIENCE AND I HAVE A QUESTION ABOUT THE PARK SITUATION IN THIS NEIGHBORHOOD. AS SOMEONE WHO ALSO LIVES IN A NEIGHBORHOOD NEAR THAT PARK, I ASKED WARREN TO COME TO MY NEIGHBORHOOD ASSOCIATION MEETING LAST WEEK AND IT WAS A BIG DEAL IN MY NEIGHBORHOOD SO I CAN DEFINITELY EMPATHIZE WITH HOW THE LACK OF A PARK IS A BIG DEAL, ALSO A FATHER OF A 3-YEAR-OLD WHO'S IN DAY CARE, I'M FEELING

IT ALL ACCUSELY MYSELF. WARREN, CAN YOU TELL US WHAT IS THE PARK SITUATION IN THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION?

COUNCIL MEMBER, I'M WARREN, DIRECTOR OF PARKS AND RECREATION DEPARTMENT. I HAD A CHANCE TO WALK THIS PIECE OF PROPERTY THE OTHER DAY AND IT IS ABSOLUTELY A DELIGHTFUL PIECE OF PROPERTY. ABSOLUTELY BEAUTIFUL. COUNCIL MEMBER, THE -- OUR ANALYSIS SHOWS JUST WHAT THE NEIGHBORS HAVE SAID TONIGHT, THAT THIS AREA IS VERY DEFICIENT IN PARKLAND. IT WILL ABSOLUTELY MATCH OUR NEEDS FOR INFILL FOR PARK IN THIS AREA, FOR A PARK IN SOUTH AUSTIN.

I KNOW ONE OF THE THINGS THAT HAD COME UP AT A NEIGHBORHOOD ASSOCIATION MEETING THAT YOU ATTENDED WITH ME LAST WEEK WAS THAT WE HAVE IN OUR BOND PROGRAM THAT WE ARE -- ONE OF THE BIGGEST PROBLEMS WE HAVE FOR ENZEL PARKS IS FINDING A WILLING SELLER AND A GOOD SPOT. SOUNDS LIKE WE HAVE A WILLING SELLER AND A GOOD SPOT AND WE HAVE AN ESTABLISHED PROCESS CITYWIDE, WHICH PARKS HAS THE FUNDS NOW AND WE'RE GOING OUT AND FINDING INFILL AREAS THAT ARE DEFICIENT, AND THIS AREA HAS A LOT OF DENSITY, JUST LIKE MY AREA HAS A LOT OF DENSITY. SO WHAT IS YOU-ALL'S ASSESSMENT OF THIS PARTICULAR SPOT AS MEETING THAT CRITERIA YOU-ALL LOOK AT IT.

COUNCIL MEMBER, AS WITH ANY GOOD PARKS DIRECTOR WE'RE GOING TO TRY TO GET AS MUCH OF THIS DEDICATED WITHOUT SPENDING INFILL MONEY. THERE IS DOLLARS AVAILABLE IN THE BOND PROGRAM AND I CAN ASSURE YOU THIS WOULD BE SOMETHING WE WOULD ABSOLUTELY BE INTERESTED IN USING INFIELD DOLLARS FOR. SO OBVIOUSLY WE WOULD BE INTERESTED IN GETTING THIS PARKLAND. WE ARE ALSO VERY INTERESTED IN GETTING THE WHOLE THREE ACRES AS USABLE PARKLAND, BUT WE'RE -- WE'RE VERY INTERESTED IN USING DOLLARS AS NECESSARY TO ASSURE THIS FOR THE COMMUNITY.

MCCRACKEN: SO I GUESS THE -- WHAT I'M GATHERING, KIND OF READING BETWEEN THE LINES, IS THAT PARKS IS

INTERESTED IN THIS SPOT FOR A PARK, RIGHT?

THAT'S CORRECT.

MCCRACKEN: AND THEN I GUESS IT'S JUST A QUESTION OF WHAT MIXTURES OF THINGS ARE PUT TOGETHER TO HELP ACHIEVE THIS SPOT BEING A PARK, RIGHT?

I THINK THAT'S CORRECT. I THINK WE NEED TO USE ALL ALTERNATIVE CREATIVE PROCESSES TO GET THIS PARK IF AT ALL POSSIBLE.

MCCRACKEN: AND KIND OF WHAT I GATHER, AND LEGAL CAN HELP ME OUT ON THIS, IF WE DON'T HAVE ANY LEGAL TOOLS TO REQUIRE A -- YOU KNOW, A PARK BE PROVIDED UNDER OUR LAWS AT THIS SPOT; IS THAT CORRECT?

MAYOR AND COUNCIL, THAT IS CORRECT, COUNCIL MEMBER MCCRACKEN. I THINK, HOWEVER, I'M LIKE WARREN, WE CAN GET -- WE CAN TRY AND GET AS CREATIVE AS WE CAN TO GET US WHERE WE NEED TO BE, BUT WE ARE LIMITED IN THE NUMBER -- A NUMBER OF TOOLS THAT ARE AVAILABLE TO US, BOTH IN TERMS OF THE WAY OUR CODE IS CURRENTLY STRUCTURED AND BECAUSE A LOT OF THE PROPERTY THEY'RE TALKING TO IS NOT BEFORE YOU. IT IS OUTSIDE THE ZONING CASE, AND SO IT IS A LIMITATION. YOU HEARD THAT LIMITATION TONIGHT. IT'S BEEN DISCUSSED REPEATEDLY. BUT THAT DOESN'T MEAN WE'RE NOT GOING TO TRY AND GET TO WHERE WE NEED TO GET TO.

MCCRACKEN: THE NEXT QUESTION IS ON THIS POINT, AND THIS GETS TO THE FUNDAMENTAL TRADE IN VMU, WHICH IS THE FIRST TIME WE'VE DONE THIS ON A SYSTEMIC CITYWIDE BASIS IS A PUBLIC BENEFIT IN EXCHANGE FOR DENSITY. WE'VE CHOSEN TODAY TO DEFINE IT AS BEING AFFORDABLE HOUSING IN EXCHANGE FOR DENSITY AND THE CASE BEFORE US TONIGHT IS I THINK OUR SECOND ACTUAL CASE TO COME FORWARD WITH THE ACTUAL VME, BUT IT'S THE FIRST ONE WHERE WE'RE CONSIDERING THE BENEFIT OF AFFORDABLE HOUSING IN EXCHANGE FOR DENSITY. AND THE PUBLIC BENEFIT COSTS MONEY AND THAT'S WHY WE LIMITED IT TO -- HAD A CONSENSUS THAT IT COULD ONLY BE 10% AFFORDABLE HOUSING. IT COULD BE THAT THE

NEIGHBORHOOD MIGHT LOOK FOR A DIFFERENT MIX OF PUBLIC BENEFITS WITHIN THAT -- IN OTHER WORDS, WE SAID THAT THE PUBLIC BENEFIT IN THIS CASE OF 10% AFFORDABLE HOUSING AND IT MIGHT BE OVER THE NEXT WEEK OR TWO THAT THIS IS WORKED OUT, THE NEIGHBORHOOD MIGHT SAY, YOU-ALL ARE SPENDING X AMOUNT OF DOLLARS AND IT'S ALL 100% BEEN DEDICATED TO AFFORDABLE HOUSING BUT IT MIGHT BE THAT WE'D RATHER HAVE THE PUBLIC BENEFIT, MAYBE YOU'D SAY 25% AFFORDABLE HOUSING AND PUBLIC PARKS. THIS IS UP TO YOU-ALL. I WANT TO EMPHASIZE TWO THINGS, ONE OF WHICH IS THE PUBLIC BENEFIT COSTS MONEY, RIGHT, AND WE BUILT IN OUR -- OUR POLICY WAS THAT MONEY WOULD BE SPENT ALL FOR AFFORDABLE HOUSING BUT THE PUBLIC WILL MIGHT BE SOME DIFFERENT MIX OF PUBLIC BENEFITS. IT MIGHT BE -- MIGHT BE A LITTLE BIT LESS AFFORDABLE HOUSING AND MONEY FOR PARKS, BUT WE DID FIGURE OUT THAT THE AMOUNT OF MONEY THAT WAS AVAILABLE TO MAKE THE DENSITY BONUS HAPPEN IN EXCHANGE FOR PUBLIC BENEFITS WAS THE MONEY EQUIVALENT OF 10% AFFORDABLE HOUSING. I THINK WE'VE GOT SOME OPPORTUNITY THERE. YOU KNOW, THE MONEY IS ALL BEING SPENT ON AFFORDABLE HOUSING NOW BUT THE NEIGHBORHOOD AND THE DEVELOPER MIGHT GET TOGETHER AND SAY WE MIGHT WANT TO USE SOME OF THAT MONEY INSTEAD FOR A PARK INSTEAD OF FOR AFFORDABLE HOUSING. THIS WOULD BE A NEIGHBORHOOD JUDGMENT, BUT WE ALL SOUND LIKE WE HAVE SOME TOOLS IN PLACE FOR APPLYING IN OTHER PARTS OF THE CITY THAT SOUND LIKE THEY SHOULD BE APPLIED AT SOUTH LAMAR. WE GET BOND FUNDS BE MADE AVAILABLE FOR PARKS AND AREAS THAT ARE HAVING A LOT OF DENSITY AND DON'T HAVE ANY PARKS,AKA, SOUTH LAMAR. SO I THINK WE GOT SOME TOOLS OVER THE NEXT WEEK, JUST SO EVERYONE IS MINDFUL THAT -- AND SO THAT -- I GUESS THAT -- THAT COULD COME INTO PLAY IN THE DAY CARE ISSUE. YOU MIGHT SAY I WANT TO SPEND THE MONEY THAT IS SPENT ON AFFORDABLE HOUSING -- YOU-ALL HAVE TO WORK THIS OUT BUT THESE ARE JUST SOME IDEAS IF THERE'S NOT -- AS YOU WORK ON WHAT MAKES THE PUBLIC BENEFIT AND WHAT YOU WANT IN EXCHANGE FOR THE DENSITY.

MAYOR WYNN: FURTHER COMMENTS, QUESTIONS?  
THOUGHTS? MOTIONS? COUNCIL MEMBER MCCRACKEN?

MCCRACKEN: I'LL MOVE APPROVAL ON A FIRST READING OF THE APPLICATION FOR OPT IN STATUS, AND THAT'S THE MOTION I'LL MAKE AND THEN I'LL JUST SAY AS PART OF THAT THAT I THINK WE HAVE SOME OPPORTUNITIES FOR SOME DISCUSSIONS, BUT I THINK WE REALLY ARE MOVING IN THE RIGHT TRACK AND I ACTUALLY -- I SENSE THE DIFFERENCES ARE REALLY NARROW. IF OUR DIFFERENCES ARE -- WERE THIS SMALL ON ALL THE CASES THAT CAME BEFORE US WE'D BE LUCKY. SO THERE'S A LITTLE BIT OF WORK LEFT TO BE DONE BUT I THINK YOU-ALL HAVE DONE A GREAT JOB ALL THE WAY AROUND, AND THANK YOU.

MAYOR WYNN: SO MOTION BY COUNCIL MEMBER MCCRACKEN, CLOSE THE PUBLIC HEARING, APPROVE ON FIRST READING ONLY. MR. GUERNSEY, YOU MIGHT NEED TO HELP ME. GENERICALLY THE OPT IN STATUS? SECONDED BY THE MAYOR PRO

GUERNSEY: THAT WOULD BE THE PLANNING COMMISSION'S RECOMMENDATION AS WELL, TO OPT IN, SO IF YOU APPROVE THE PLANNING COMMISSION'S RECOMMENDATION THEN YOU WOULD BE CAPTURING THE INTENT OF THE MAKER OF THE MOTION.

MAYOR WYNN: OKAY. THOUGHTS? COUNCIL MEMBER MARTINEZ.

MARTINEZ: I JUST WANT TO MAKE ONE COMMENT ABOUT THE DISCUSSIONS ABOUT THE PARKLAND. THERE WERE SOME COMMENTS ABOUT HOW MUCH UNDEVELOPABLE PARKLAND IS ACTUALLY BEING OFFERED AND HOW MUCH IS IN THE FLOODPLAIN, BUT I CERTAINLY HOPE THAT THAT'S NOT TAKING IT BY THE DEVELOPER AS A GESTURE TO NOT DEDICATE THAT AS PARKLAND BECAUSE WE HAVE TONS OF PARKLAND IN THE CITY OF AUSTIN THAT'S IN THE FLOODPLAIN AND IT'S GREAT PARKLAND, AND IT CAN BE USED FOR PARKS, BUT I HOPE HE'LL CONSIDER THAT AND NOT TAKE THAT AS A GESTURE THAT THAT'S NOT WHAT THE NEIGHBORHOOD WANTS, BECAUSE THEY CERTAINLY NEED

THAT IN THAT AREA. THANKS.

MAYOR WYNN: COUNCIL MEMBER KIM?

KIM: I JUST WANT TO RESPOND TO THE EMAILS AND THE COMMENTS FROM THE PEOPLE HERE ABOUT THE CHILD CARE CRISIS IN OUR CITY, AND I AGREE, WE NEED TO DO SOMETHING TO SUPPORT CHILD CARE IN OUR CENTRAL CITY, AND IT IS GETTING HARDER AND HARDER FOR CHILD CARE CENTERS TO BE RELOCATED -- OR TO ESTABLISHED IN OUR CITY. SO THAT'S SOMETHING THAT WE AS A COUNCIL NEED TO TAKE OWNERSHIP OF WITH YOUR HELP, AND THIS IS JUST ONE DEVELOPMENT. FORTUNATELY THIS CHILD CARE CENTER IS IN A GOOD POSITION COMPARED TO SOME OTHERS WHERE WE DON'T EVEN HEAR ABOUT THIS THEM, WHERE THEY RUN OUT OF THEIR LEASE AND THERE IS NO RECOURSE FOR THEM EXCEPT TO LOOK FOR ANOTHER LOCATION OR GO OUT OF BUSINESS. BUT AT LEAST THIS CHILD CARE CENTER HAS TWO AND A HALF YEARS AND THAT'S AS GOOD AS CASH IN HAND FOR THEM. BUT FOR FUTURE POLICY INITIATIVES, THE FAMILY TASK FORCE IS GOING TO LOOK AT THIS WITH OUR CHILD CARE COUNCIL, WITH AISD AND TRAVIS COUNTY. SO DON'T THINK THIS HAS -- THIS HAS ANYTHING TO DO WITH OUR HAVING -- SAYING ANYTHING ABOUT THAT WE'RE NOT DOING ANYTHING ABOUT CHILD CARE. WE RECOGNIZE -- I RECOGNIZE THIS IS SOMETHING WE NEED TO DO FOR OUR FAMILIES IN AUSTIN, AND SO WE'RE GOING TO TAKE A LOOK AT THAT AND WORK ON THAT WITH YOU. THANKS.

MAYOR WYNN: FURTHER COMMENTS? GOT A MOTION AND SECOND ON THE TABLE, FIRST READING ONLY. FIRST COMMENTS? HEARING NONE, ALL THOSE IN FAVOR, PLEASE SAY AYE? AYE. OPPOSED? MOTION PASSES ON FIRST READING ONLY, A VOTE OF 6-0. THANK YOU ALL VERY MUCH. GUERNSEY?

GUERNSEY: I GUESS WE'RE ONTO OUR 6:00 PUBLIC HEARINGS AND ACTIONS.

MAYOR WYNN: YES, SORRY.

GUERNSEY: AND THE STAFF WOULD LIKE TO OFFER ITEM NO.

54 AND 55, WHICH ARE RELATED ITEMS ON THE DEAL WITH THE UNIVERSITY HILLS AND WINDSOR PARK AREA, 54 BEING CONDUCT A PUBLIC HEARING TO APPROVE AN ORDINANCE AMENDING CHAPTER 25, SUBCHAPTER E, LAND DEVELOPMENT CODE DEALING WITH DESIGN STANDARDS AND, TO ADD ROWS WAY SEGMENTS TO UNIVERSITY HILL WINDSOR PARK, TO LIST A CORE TRANSIT CORRIDORS AND THIS IS REVIEWED BY THE PLANNING COMMISSION ON JUNE 12. AND THE RELATED ITEM, TO CONDUCT A PUBLIC HEARING, CONSIDER AN ORDINANCE IN AMENDING THE AUSTIN TOMORROW CONFERENCE PLAN BY ADOPTING THE UNIVERSITY HILLS/WINDSOR PARK COMBINED NEIGHBORHOOD PLAN ANT COMBINED NEIGHBORHOOD PLANNING AREA BOUNDED BY IH-35 TO THE WEST, 290 TO THE NORTH, U.S. HIGHWAY 183 TO THE EAST AT MANOR ROAD AND EAST 51 HE TO THE SOUTH, ALSO TO BE REVIEWED BY PLANNING COMMISSION JUNE 12. BOTH OF THE THESE ITEMS TO BE POABDPOSTPONED TO JUNE 21 AND STAFF HAD SUGGESTED AT THE TIME TO 4:00 P.M. SO THEY COULD COME UP WITH A ZONING CASE THAT WOULD BE RELATED. SO IT'S ITEM 54 AND 55. STAFF SUGGESTED POSTPONING THESE ITEMS TO THE 21ST OF JUNE AT 4:00 P.M.

MAYOR WYNN: THANK YOU, MR. GUERNSEY. QUESTIONS OF STAFF, COUNCIL? IF NOT I'LL ENTERTAIN A MOTION TO POSTPONE ITEMS 54 AND 55 TO JUNE 21, 2007 SET FOR A 4:00 P.M. TIME CERTAIN.

DUNKERLEY: MOVE APPROVAL.

MAYOR WYNN: MOTION MADE BY PRO TEM DUNKERLEY, HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF 5-0, WITH COUNCIL MEMBERS COAL AND MCCRACKEN OFF THE DAIS. WELCOME, MS. COLLIER.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS VIRGINIA COLLIER WITH THE CITY OF AUSTIN PLANNING AND NEIGHBORHOOD FUNDING DEPARTMENT. THIS IS THE

SECOND OF TWO PUBLIC HEARING FOR THE FOLLOWING SET OF SEVEN PROPOSED ANNEXATION HEARINGS. ORDINANCE READINGS ARE TENTATIVELY SCHEDULED FOR THE 21ST AND I'LL DESCRIBE EACH AREA IN TURN, UPON ANNEXATION THE CITY WILL BEGIN PROVIDING FULL MUNICIPAL SERVICES TO EACH OF THESE AREAS, INCLUDING SERVICES PROVIDED BY OTHER ENTITY SUCH AS THE COUNTY. COPIES OF SERVICE PLANS FOR EACH OF THESE AREAS ARE AVAILABLE THIS EVENING. ITEM NO. 56 INCLUDES THE AVERY RANCH GROUP 3 AND AVERY RANCH BOULEVARD AREAS, BOTH OF THE OF THESE ARE LOCATED IN WILLIAMSON COUNTY. TOGETHER THESE ANNEXATIONS WILL BRING APPROXIMATELY 240 ACRES INTO THE CITY'S FULL PURPOSE JURISDICTION. THIS WILL CONCLUDE A SERIES OF FULL PURPOSE ANNEXATIONS AND WILL BRING THE REMAINING PORTIONS OF THE AVERY BOULEVARD INTO THE CITY'S JURISDICTION. I'LL ANSWER ANY QUESTIONS.

MAYOR WYNN: QUESTIONS OF STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS THIS ON THIS PUBLIC HEARING, FULL PURPOSE ANNEXATION, OUTLINED BY STAFF, ITEM NO. 56. HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION MADE BY LEFFINGWELL, SECONDED BY MARTINEZ MARTINEZ THE ALL IN FAVOR, AYE?

AYE.

MAYOR WYNN: MOTION PASSES ON A VOTE OF 5-0, WITH COUNCIL MEMBERS MCCRACKEN AND COAL OFF THE DAIS.

THIS INCLUDES APPROXIMATELY 102 ACRES AND IS LOCATED IN TRAVIS COUNTY. CONSTRUCTION IS UNDER WAY ON A RECENTLY PLATTED SUBDIVISION OF 314 SINGLE-FAMILY RESIDENTIAL UNITS IN THIS AREA AND I CAN ANSWER ANY QUESTIONS YOU MIGHT HAVE IN THIS AREA ON ITEM NO. 57.

MAYOR WYNN: QUESTIONS OF STAFF, COUNCIL? COMMENTS? ARE THERE ANY CITIZENS WHO WOULD LIKE TO ADDRESS THIS PUBLIC HEARING, ITEM 57, FULL PURPOSE ANNEXATION AS PRESENTED BY STAFF, THE DAKOTA SPRINGS AREA? HEARING NONE, I'LL ENTERTAIN A MOTION

TO CLOSE THE PUBLIC HEARING.

DUNKERLEY: SO MOVED.

MAYOR WYNN: MOTION MADE BY MAYOR PRO TEM,  
SECONDED BY COUNCIL MEMBER MARTINEZ TO CLOSE THE  
PUBLIC HEARING. ALL IN FAVOR PLEASE SAY AYE.

AYE.

MAYOR WYNN: AYE? OPPOSED? MOTION AGAIN PASSES ON  
A VOTE OF 5-0.

ITEM NO. 58 IS THE GOODNIGHT RANCH NORTH AREA. THIS  
INCLUDES APPROXIMATELY 239 ACRES AND IS LOCATED IN  
TRAVIS COUNTY. THIS AREA IS CURRENTLY IN THE CITY'S  
LIMITED PURPOSE JURISDICTION AND IS UNDEVELOPED.  
HOWEVER, THE PROPERTY OWNERS REQUESTED FULL  
PURPOSE ANNEXATION TO FACILITATE CITY REVIEW AND  
APPROVAL OF PLATS IN ACCORDANCE WITH THE APPROVED  
PUD ZONING FOR THIS SITE. IF YOU HAVE ANY QUESTIONS  
ON ITEM NO. 58 I'D BE HAPPY TO ANSWER THOSE AT THIS  
TIME.

MAYOR WYNN: QUESTIONS, COUNCIL? ARE THERE ANY  
CITIZENS WHO WOULD LIKE TO ADDRESS THIS -- ON THIS  
PUBLIC HEARING ITEM NO. 58, THE FULL PURPOSE  
ANNEXATION OF THE GOODNIGHT RANCH NORTH AREA?  
HEARING NONE I'LL ENTERTAIN A MOTION TO CLOSE THE  
PUBLIC HEARING. MOTION MADE BY COUNCIL MEMBER  
LEFFINGWELL, SECONDED BY COUNCIL MEMBER MARTINEZ  
TO CLOSE THIS PUBLIC HEARING, ITEM 58. ALL IN FAVOR  
PLEASE SAY AYE. AYE? OPPOSED? MOTION PASSES ON A  
VOTE OF 5-0. [ONE MOMENT, PLEASE, FOR CHANGE IN  
CAPTIONERS. ]

IN ADDITION TO UNDEVELOPED LAND AND A SEGMENT OF  
MANCHACA ROAD THIS AREA INCLUDES THE RECENTLY  
PLATTED SWEETWATER SUBDIVISION. IF YOU HAVE ANY  
QUESTIONS, I'D BE HAPPY TO ANSWER THOSE?

Mayor Wynn: QUESTIONS, COMMENTS? ARE THERE ANY  
CITIZENS THAT WOULD LIKE TO ADDRESS US ON PUBLIC

HEARING NUMBER 60, THE ANNEXATION OF THE SWEETWATER GLEN AREA? HEARING NONE, I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION BY COUNCILMEMBER MARTINEZ, SECONDED BY WHICH WILL TO CLOSE THIS PUBLIC HEARING NUMBER 60. ALL IN FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO.

FINALLY, ITEM NUMBER 61, U.S.-290 EAST, ED BLUESTEIN RIGHT-OF-WAY AREA. RECENT IMPROVEMENTS TO THE ROAD EXTENDED THE LANES BEYOND THE CITY LIMITS AND INTO THE E.T.J. THIS ANNEXATION WILL BRING THOSE SEGMENTS OF THE ROAD INTO THE CITY LIMITS AND INCREASE EFFICIENTLY WITH PUBLIC SAFETY SERVICES IN THE AREA. IF YOU HAVE ANY QUESTIONS ON ITEM 61 I'D BE HAPPY TO ANSWER THOSE AT THIS TIME.

Mayor Wynn: ARE THERE ANY CITIZENS THAT WOULD LIKE TO ADDRESS THIS PUBLIC HEARING ON NUMBER 61, THE FULL PUSH ANNEXATION OF THE 290 EAST/ED BLUESTEIN RIGHT-OF-WAY AREA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. MOTION MADE BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO CLOSE THIS PUBLIC HEARING, NUMBER 61, FAIF FAVOR? OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO. THANK YOU, MS. COLLIER, HAVE A GOOD EVENING. MR. GUERNSEY?

MAYOR AND COUNCIL, THAT BRINGS US TO ITEM NUMBER 62. THIS IS A CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE AUTHORIZING THE ADDITION OF NEW NEIGHBORHOODS TO THE RESTRICTED PARKING AREA MAP ACCORDING TO SECTION 12-5-29 OF THE CITY CODE. THE RESTRICTIONS WOULD BE ON PARKING IN THE FRONT, SIDE YARDS OF RESIDENTIAL PROPERTIES ESTABLISHED IN AUGUST OF 2002. THESE HAVE BEEN ANDED SEVERAL TIMES. BUT THE PARKING RESTRICTIONS WOULD PROHIBIT A PERSON FROM PARKING A MOTOR VEHICLE IN THE FRONT OR SIDE YARDS OF RESIDENTIAL PROPERTY EXCEPT IN A DRIVEWAY ARREST PAVED PARKING AREA A. THIS IS ONLY ON AREAS IN THE RESTRICTED PARKING MAP. I BELIEVE ON THE DAIS YOU HAVE A PROPOSED MAP AND ALSO THE NEIGHBORHOODS PROPOSED TO BE INCLUDED AND HAVE MADE THE REQUEST. IT WOULD INCLUDE THE GRASSY GRASSY WOODS NEIGHBORHOOD ASSOCIATION, THE

CASTLE OAK VALLEY NEIGHBORHOOD ASSOCIATION, SUMMIT OAK NEIGHBORHOOD ASSOCIATION, THE CHERRY CREEK AND BRODIE LANE NEIGHBORHOOD ASSOCIATION. THE ST. JOHN'S ASSOCIATION, NORTH ACRES HOMEOWNERS ASSOCIATION, THE NORTH AUSTIN CIVIC ASSOCIATION, THE DIRE PARK AT MAPLE -- THE DEER PARK AT MAPLE RUN NEIGHBORHOOD ASSOCIATIONS, THE RIVER OAKS NEIGHBORHOOD ASSOCIATION, THE WEST VIEW CREEK HOMEOWNERS ASSOCIATION AND THE WALNUT CROSSING NEIGHBORHOOD ASSOCIATION. THE BALCONES WOODS NEIGHBORHOOD ASSOCIATION AND THE ROSE DALE NEIGHBORHOOD ASSOCIATION. THESE NEIGHBORHOODS THAT FOLLOW THIS REQUEST DEPICTED ON THE MAP AND THEY WOULD BE IN ADDITION TO THOSE THAT HAVE ALREADY BEEN APPROVED PREVIOUSLY FOR THIS OPTION. YOU'LL NOTICE THAT MOST OF THESE AREAS ARE FURTHER OUTSIDE AND ARE NEWER AREAS WITH THE EXCEPTION OF MAYBE THE ST. JOHN'S AREA AND ROSE DALE AREA, WHICH ARE THE OLDER PARTS OF OUR URBAN CORE. THIS ITEM WAS ORIGINALLY -- TA THIS APPLICATION WAS ORIGINALLY FILED IN FEBRUARY. THE ORDINANCE SPEAKING TO TAKE ACTION IN APRIL DUE TO A NOTIFICATION ISSUE. WE BRING IT TO YOU NOW IN MAY INSTEAD OF APRIL. HOWEVER, THESE NEIGHBORHOODS DID FILE THEIR REQUEST IN A TIMELY MANNER. WE DO NOT HAVE ANYONE HERE TO SPEAK FRINGEFROM THE PUBLIC REGARDING THESE APPLICATIONS. IF YOU HAVE ANY QUESTIONS, I'D BE HAPPY TO ANSWER THEM FOR YOU AT THIS TIME.

Mayor Wynn: QUESTIONS OF STAFF, COMMENTS? MAYOR PRO TEM.

Dunkerley: I WANTED TO ASK MR. GUERNSEY SOMETHING. I HAVE FORGOTTEN HOW THESE NEIGHBORHOODS OPT IN TO THE PROCESS. COULD YOU REVIEW THAT?

CERTAINLY. THE PROCESS IT STARTS OUT WITH AN APPLICATION THAT'S FILED BY THE NEIGHBORHOOD ASSOCIATIONS IN FEBRUARY. THEY REMAIN ON THE MAP FOR THREE YEARS AND THEN WOULD COME BACK FOWP RENEWAL. THEY WOULD REQUIRE A VOTE OF THE ASSOCIATION. WE TAKE THEIR APPLICATIONS AND REVIEW THEM TO MAKE SURE THAT THERE WAS A MEETING, THERE

WERE MINUTES, IF THERE WAS AN ADJOINING NEIGHBORHOOD, THAT THERE WAS SOME DISCUSSION BETWEEN THE NEIGHBORHOODS. THE FORM IS SIGNED AND TURNED IN BY THE OFFICER OF THE ASSOCIATION. THESE ASSOCIATIONS ARE REGISTERED WITH THE CITY OF AUSTIN AND THERE'S ALWAYS A TALLY OF THE VOTES THAT ARE PRESENTED TO OUR DEPARTMENT. AND THEN THAT IS COMPILED INTO A LIST AND PRESENTED TO YOU ON A MAP AND THIN THAT'S BROUGHT FORWARD TO YOU FOR YOUR CONSIDERATION.

Mayor Wynn: COUNCILMEMBER MARTINEZ.

Martinez: THANK YOU, MAYOR. THERE ARE A COUPLE OF CONCERNS I HAVE WITH THIS THE WAY THE ORDINANCE IS WRITTEN. ONE OF THE PROVISIONS IN THE ORDINANCE STATES THE NEIGHBORHOOD ASSOCIATION MAY NOT FILE A REQUEST UNDER THIS SUBSECTION FOR THE PORTION OF THE NEIGHBORHOOD ASSOCIATION AREA THAT IS WITHIN THE NEIGHBORHOOD PLANNING COMBINING DISTRICT THAT THE COUNCIL APPROVES OR AMENDS AFTER DECEMBER 31st DECEMBER 31st, 2006. TWO NEIGHBORHOOD ASSOCIATIONS ARE AFFECTED BY THIS THAT WANT TO BE A PART OF THIS. AND OF COURSE THE OTHER OPTION THAT MR. GUERNSEY JUST MENTIONED OR THE OTHER PROVISION THAT MR. GUERNSEY JUST MENTIONED WAS THAT THE CODES SPECIFICALLY STIPULATES THAT COUNCIL SHALL ADDRESS THESE CONCERNS DURING THE MONTH OF APRIL. AND OBVIOUSLY WE MISSED A POSTING REQUIREMENT AND SO I WANT TO MAKE SURE THAT THIS IS SOMETHING THAT'S CRITICALLY IMPORTANT TO THESE NEIGHBORHOODS AND I DON'T WANT IT TO BE RENDERED INEFFECTIVE OR INEFFECTUAL IN TERMS OF ITS ENFORCEMENT. AND I SIMPLY WANT US TO FOLLOW THE CODES THAT WE ADOPT AS A COUNCIL. SO I'M GOING TO MOVE TO POSTPONE THIS ITEM UNTIL APRIL OF 2008 WHEN THE ORDINANCE SAYS WE'RE SUPPOSED TO BE ADDRESSING THIS ISSUE. MAYOR PRO TEM, I JUST MADE A MOTION TO POSTPONE.

Dunkerley: THERE'S BEEN A MOTION TO POSTPONE. SECOND? THE MOTION TO POSTPONE AND A SECOND. ANY OTHER COMMENTS OR QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OKAY. THERE ARE FOUR YES

VOTES WITH THE MAYOR, COUNCILMEMBER MCCRACKEN,  
COUNCILMEMBER COLE OFF THE DAIS. ALL RIGHT.

AND WE WILL BRING THAT BACK IN AUGUST OF 2008.

APRIL.

SORRY, APRIL OF 2008. ITEM NUMBER 63 IS TO CONDUCT A PUBLIC HEARING AND APPROVE AN ORDINANCE DESIGNATING AREAS IN WHICH ADDITIONAL DISTANCE REQUIRED FOR MOBILE FOOD ESTABLISHMENTS. THERE ARE ONLY TWO NEIGHBORHOODS THAT WOULD QUALIFY. THE ZILKER NEIGHBORHOOD ASSOCIATION AND THE ROSEDALE NEIGHBORHOOD ASSOCIATION. THIS EFFECT WOULD BE THAT A MOBILE FOOD ESTABLISHMENT THAT WOULD BE LOCATED WITHIN 50 FEET OF A PROPERTY ZONED OR USED FOR SF-5 OR MORE RESTRICTED USE WOULD BE PROHIBITED FROM OPERATING. THERE IS A PROVISION THAT THERE WOULD BE A 60 DAY DELAY TO ALLOW FOR THE RELOCATION OF THAT MOBILE FOOD VENDOR. IN ADDITION, FOR THOSE USES THAT ARE BETWEEN 50 AND 300 FEET OF AN SF-5 OR MORE RESTRICTIVE USE DISTRICT THAT THE HOURS OF LIMIT LIMITATION FOR THEIR OPERATION, INSTEAD OF BEING FROM SIX A.M. TO THREE A.M. AS WOULD BE CALLED IN THE CURRENT ORDINANCE, THEY WOULD BE LIMITED TO 10:00 P.M. FOR THEIR CLOSING TIME. AS I MENTIONED BEFORE, THERE ARE ONLY TWO NEIGHBORHOODS THAT WE ARE BRINGING FORWARD TODAY, THE ZILKER AND ROSEDALE NEIGHBORHOOD THAT HAVE FILED THEIR REQUESTS FOR THIS ADDITIONAL LIMITATION ON THE OPERATION OF MOBILE FOOD ESTABLISHMENTS. AGAIN, THESE APPLICATIONS WERE TIMELY FILED. DUE TO A NOTIFICATION ERROR, THEY WERE NOT ABLE TO BE BROUGHT TO YOU IN APRIL AND ARE BEING BROUGHT TO YOU NOW FOR YOUR CONSIDERATION.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS?  
COUNCILMEMBER MARTINEZ?

Martinez: FOR THE SAME REASONS, I THINK WE NEED TO CONTINUE TO FOLLOW THE ORDINANCE THAT WE ADOPT, AND BEGIN SPECIFICALLY THERE ARE SOME NEIGHBORHOOD ASSOCIATIONS WHO OBVIOUSLY AREN'T

AWARE OF THE REQUIREMENTS AND PROVISIONS FOR OPTING IN BECAUSE ONLY TWO OF THE FIVE THAT WOULD LIKE TO BE A PART OF THIS ORDINANCE ACTUALLY QUALIFY UNDER THE ORDINANCE THAT WE ADOPTED. SO I SIMPLY WANT TO GET OUR NOTIFICATIONS CORRECT. I WANT TO NOTIFY THE VENDORS IN THE NEIGHBORHOODS THAT ARE PETITIONING AND I'M MAKING A MOTION TO POSTPONE UNTIL APRIL OF 2008.

Mayor Wynn: MOTION BY COUNCILMEMBER MARTINEZ, SECONDED BY COUNCILMEMBER LEFFINGWELL TO POSTPONE THIS ITEM NUMBER 63, THE MOBILE FOOD ESTABLISHMENTS. ESSENTIALLY UNTIL NEXT APRIL 2008, THAT IS IN ACCORDANCE WITH THE ORDINANCE, APRIL OF EACH CALENDAR YEAR. COMMENTS, THOUGHTS? THERE'S NO SPEAKERS WHO ARE HERE SIGNED UP IN FAVOR OR AGAINST.

MAYOR, I DO NL WE HAD TWO SPEAKERS THAT WERE HERE -  
-

Mayor Wynn: NOT WISH TO GO SPEAK.

Mayor Wynn: YOU'RE RIGHT, JEFF JACK AND LORRAINE ATSZERTON HAD SIGNED UP NOT WISHING TO SPEAK, IN FAVOR. ALL IN FAVOR? OPPOSED? MOTION TO POSTPONE PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS.

MAYOR AND COUNCIL, THE ONE THAT WAS REFERENCED TO THE EAST RIVER SIGH, COUNCIL ACTUALLY GAVE DIRECTION ON THAT PARTICULAR NEIGHBORHOOD AND WE'LL BE GOING THROUGH THE NEIGHBORHOOD PLANNING PROCESS TO ADD THAT AS AN OPTION FOR IN ADDITION TO THE NEIGHBORHOOD PLAN, SPECIAL ORDINANCE, COMBINING DISTRICT ORDINANCE. THE OTHER TWO WE ARE GOING TO APPROACH THE PLANNING COMMISSION TO ASK THEM TO INITIATE AN AMENDMENT TO THEIR NEIGHBORHOOD PLAN COMBINING DISTRICT AND WE'LL BE BRINGING THOSE TO YOU LATER THIS YEAR. THANK YOU.

Mayor Wynn: THANK YOU, MR. GUERNSEY. HAVE A GOOD EVENING. THAT TAKES US TO ITEM NUMBER 64, WHICH IS THE PUBLIC HEARING REGARDING A FLOODPLAIN VARIANCE. WELCOME MR. 'S OSWALD.

MAYOR AND COUNCIL, GEORGE'S WALLED, WATERSHED PROTECTION AND REVIEW DEPARTMENT. THE ACTION BEFORE YOU WITH ITEM 64 IS TO CONDUCT A PUBLIC HEARING AND CONSIDER FLOODPLAIN VARIANCES REQUESTED BY MR. JEFFREY RUSSELL TO ALLOW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AT 8206 SANDALWOOD COVE IN THE 25 YEAR AND 100 YEAR FLOODPLAINS OF SHOAL CREEK AND TO WAIVE THE REQUIREMENT TO DEDICATE A DRAINAGE EASEMENT TO THE FULL LIMIT OF THE 100 YEAR FLOODPLAIN TO EXCLUDE THE FOOTPRINT OF THE PROPOSED DUPLEX. -- THE PROPOSED SINGLE-FAMILY STRUCTURE. THERE WAS A TYPO IN THE AGENDA, IT HAD DUPLEX, BUT THIS IS A SINGLE-FAMILY STRUCTURE. THIS IS A LITTLE BIT DIFFERENT THAN SINGLE-FAMILY PROPOSALS WE TYPICALLY BRING HERE BEFORE YOU. THE APPLICANT IS PROPOSING TO DEMOLISH TWO EXISTING SINGLE-FAMILY STRUCTURES THAT INCLUDE A TOTAL CONDITION LIVING SPACE JUST SHY OF 4,000 SQUARE FEET AND TO CONSTRUCT A NEW HOME ON TWO COMBINED LOTS WITH THE TOTAL SPACE OF ABOUT 5700 SQUARE FEET AND TO EXCLUDE THE BUILDING FOOTPRINT FROM THE REQUIREMENT TO DEDICATE DRAINAGE EASEMENT. THIS IS THE LOCATION OF THE SUBJECT PROPERTY. LET ME SEE IF I CAN BRING THE CURSOR DOWN HERE. THE RED POLYGON OUTLINES THE TWO LOTS. THE YELLOW AREAS PROPOSED FOOTPRINT OF THE NEW STRUCTURES. THE DARK BLUE AREA IS THE LIMITS OF THE 25-YEAR FLOODPLAIN OF SHOAL CREEK AND THE LIGHTER BLUE AREA IS THE LIMITS OF THE 100 YEAR FLOODPLAIN. ALSO ON THIS DISPLAY IT'S A LITTLE BIT DARK HERE. IF YOU SEE THESE X'S WITH CIRCLES, THESE ARE HOMES THAT FLOODED DURING THE 1981 FLOOD EVENT. YOU WILL SEE SOME DOWN HERE THAT ARE ACTUALLY OUTSIDE OF THE 100 YEAR FLOODPLAIN. SO THERE IS A HISTORY OF FLOODING IN THIS AREA. ZOOMING IN AGAIN JUST TO SHOW YOU POSITION OF THE PROPOSED DEVELOPMENT IN THE FLOODPLAIN. THIS IS A PICTURE OF ONE OF THE EXISTING

SINGLE-FAMILY STRUCTURES THAT WILL BE REMOVED TO MAKE WAY FOR THE NEW HOME. THIS IS THE OTHER STRUCTURE. BOTH OF THESE ARE A BIT SUBELEVATED. THE FINISHED FLOOR ELEVATIONS OF THESE STRUCTURES, ONE'S ABOUT 1.3 FEET AND THE OTHER IS ABOUT 1.9 FEET BELOW THE 100 YEAR FLOODPLAIN. THEY DO HAVE SECOND STORIES, SO THEY DO OFFER SOME SAFE REFUGE IN THEIR CURRENT CONDITION. THIS PICTURE JUST SHOWS BOTH OF THOSE EXISTING STRUCTURES. THIS IS THE PROPOSED STRUCTURE ON THE TWO COMBINED LOTS, SHOWING THE HOUSE FOOTPRINT, AND THE GARAGE/CARPORT STRUCTURE AND HERE IS THE ARCHITECTURAL ELEVATION RENDERINGS. THE STAFF RECOMMENDATION IS TO DENY THE VARIANCE. I'M GOING TO STEP THROUGH THESE ISSUES AND BE SURE YOU GET A CLEAR UNDERSTANDING OF HOW THEY CAME TO THAT RECOMMENDATION. OBJECT BE VUSLY THE -- OBVIOUSLY THE BUILDINGS ARE WITHIN THE LIMIT OF THE FLOODPLAIN AND THAT ALLOWS FOR THE VARIANCE OF THE CODE TO BE ALLOWED. ACCESS DURING A 100 YEAR EVENT IS SEVERELY RESTRICTED. THE WATER ELEVATION AT THE STREET, THE CURB LINE IS IN EXCESS OF FOUR FEET AND THAT IS WELL BEYOND THE DEPOSITSTH AT WHICH OUR FIRST -- THE DEPTH AT WHICH OUR FIRST RESPONDER'S EQUIPMENT WILL PROGRESS THROUGH. OF COURSE THAT CONDITION EXISTS OUT THERE TODAY, SO THE EXISTING HOMES ARE ALSO SUBJECT TO THAT. AND THE PROPOSED CONSTRUCTION WILL BE ELEVATED WHERE THE EXISTING CONSTRUCTION IS SOMEWHAT SUBELEVATED. I WANT TO BE SURE TO DISTINGUISH THAT. OUR BIGGEST CONSIDERATION IN RECOMMENDING DENIAL IS THE ADDITIONAL OPPORTUNITY FOR OCCUPANCY IN THE FLOODPLAIN. AS I MENTIONED, THE TWO EXISTING STRUCTURES COMBINED HAVE A CONDITION SPACE OF APPROXIMATELY 4,000 SQUARE FEET AND THE APPLICANT'S PROPOSAL IS TO INCREASE THAT INTERIOR SQUARE FOOTAGE IN EXCESS OF 57005700 SQUARE FEET. AND THAT WAS THE MAIN CONSIDERATION. THE OPPORTUNITY FOR INCREASED OCCUPANCY IN THE FLOODPLAIN, A LITTLE BIT OF A TWIST ON THAT, THE TWO EXISTING HOMES INCLUDE A TOTAL OF SEVEN BEDROOMS WHERE THE PROPOSED HOME IS FOUR BEDROOMS, BUT THE ONLY JUDGMENT THAT THE CITY STAFF HAS IS THE ACTUAL SQUARE FOOTAGE FOR HUMAN

OCCUPANCY BECAUSE IN THE FUTURE THE ROOM LAYOUTS COULD BE RECONFIGURED FOR BEDROOMS, WHATEVER. SO THAT WAS BASICALLY THE PRIMARY CONSIDERATION IN COMING TO THE RECOMMENDATION TO DENY. HARDSHIP CONDITIONS DO NOT EXIST ON THE LAND. OBVIOUSLY THERE'S TWO SERVICEABLE STRUCTURES IN PLACE THERE, AND I'VE ALREADY HIGHLIGHTED THE PREVIOUS FLOODING AT THIS LOCATION. THAT CONCLUDES MY PRESENTATION. I'LL TAKE ANY QUESTIONS YOU MAY HAVE. QUESTIONS, COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: YOU SAY THE PROPOSED NEW HOUSE, THE FLOOR WOULD BE ABOVE THE EXISTING 25-FOOT FLOOD LEVEL?

IT WILL BE TWO FEET ABOVE THE 100 YEAR ELEVATION.

Leffingwell: TWO FEET ABOVE?

YES.

Leffingwell: AND WHAT IS THE PRESENT HOUSE?

ONE OF THEM IS SUBELEVATED BY ABOUT 1.3 FEET AND THE OTHER BY ABOUT 1.9 FEET. LOAF LEAF BELOW THE --

Leffingwell: BELOW THE --

BELOW THE 100.

Leffingwell: HOW ABOUT THE 25?

GARY, DO YOU HAVE THE 25-YEAR ELEVATION NUMBERS?

[INAUDIBLE - NO MIC].

I'D LIKE TO INTRODUCE GARY COSA TO PROVIDE THAT INFORMATION.

YES, SIR, THEY'RE ABOUT A FOOT OR LESS.

Leffingwell: ABOUT A FOOT ABOVE THE 25 AND 1.9 OR SO

ABOVE THE -- BELOW, I MEAN?

THEY'RE BELOW.

Leffingwell: THANKS.

Mayor Wynn: ADDITIONAL COMMENTS, QUESTIONS? WE HAVE A NUMBER OF FOLKS WHO HAVE SIGNED UP WISHING TO ADDRESS US. 18 OF THEM, AS A MATTER OF FACT, 17 IN FAVOR AND ONE IN OPPOSITION. LET'S SEE, OUR FIRST SPEAKER IS MR. JEFF RUSSELL. WHO I GUESS IS OUR OWNER.

WE HAVE SEVERAL SPEAKERS, BUT WE'RE GOING TO HAVE VERY RESTRICTED AMOUNT OF TIME IN OUR PRESENTATION, BUT I WOULD LIKE TO HAVE MR. RUSSELL BRIEFLY MAKE A PRESENTATION TO YOU AND I WILL CONCLUDE. WE'LL BE THE ONLY TWO SPEAKERS ON BEHALF OF THE APPLICANT.

Mayor Wynn: WELL, THANK YOU. BUSINESS.

I FIRST MOVED HERE IN 1981. AND I CHOSE AUSTIN OVER MY JOB OFFER IN SILICON VALLEY BECAUSE HOUSING WAS FOARNL AFFORDABLE HERE. THIS IS MY STARTER HOME THAT I THOUGHT I WOULD FIX UP AND MOVE ON. WELL, 14 YEARS LATER I'M STILL LIVING HERE. SINCE THEN I'VE BEEN MARRIED AND WE HAVE A CHILD. AND WE'VE DECIDED THAT WE WANT TO PERMANENTLY STAY IN AUSTIN AN WE'VE ALSO DECIDED THAT WE LOVE OUR NEIGHBORHOOD. WE HAVE GREAT BIKING AND RUNNING ROUTES RIGHT FROM HOME. WE CAN WALK TO PARKS, SCHOOLS, RESTAURANTS, AND WE'RE IN CLOSE PROXIMITY TO MOST OF THE SHOPPING CENTERS THAT WE VISIT. SO IT'S REALLY A GREAT LOCATION WE'RE IN. AND WE DECIDED RECENTLY WE'D LIKE TO REBUILD OUR HOUSE. AND WE CAME TO THAT CONCLUSION BECAUSE OF TWO MAIN ADVANTAGES THAT WE PROVIDE. ONE IS THAT WE CAN FLOOD PROOF THE HOUSE. THAT'S A BIG THING WE LEARNED ABOUT OVER THE LAST YEAR. AND THE OTHER THING IS WE CAN INCORPORATE A LOT OF THE GREEN BUILDING TECHNIQUES BY STARTING OVER FROM SCRATCH. SO THOSE ARE BIG MOTIVATIONS FOR REBUILDING A HOUSE. WE THINK OUR PROJECT RESPECTS THE NEIGHBORHOOD IN THAT WE'RE MAINTAINING THE

SINGLE-FAMILY HOMES ON OUR STREET AND I'VE BRIEFED THE NEIGHBORHOODS, THE NEIGHBORHOOD ASSOCIATION AND WE HAVE THEIR SUPPORT, WHICH I'M SHOWING WITH SOME LETTERS THAT I GUESS ARE INCLUDED IN THE PACKET. I FLIED THE BUILDING PERMIT -- I FLIETD BUILDING PERMIT KNOWING WE'RE IN THE FLOODPLAIN ONLY AFTER I WAS CONVINCED THAT WE COULD BUILD A SAFE HOUSE HERE. SO I SPENT THE LAST SUMMER AND FALL RESEARCHING FLOOD RULES, FEMA TECHNICAL BULLETINS. I HAD SEVERAL MEETINGS WITH CITY STAFF WHO PATIENTLY EXPLAINED THE PROCESS AND SOME OF THE RULES TO ME. ONLY THEN DID I REALIZE THAT YES, WE CAN DO SOMETHING HERE AND I APPLIED FOR THE BUILDING PERMIT. THAT BRIDZ ME TO THE REASON THAT WE'RE HERE, WHICH IS TO REQUEST A VARIANCE FROM THE FLOODPLAIN REGULAR ARELATIONS. I THINK WE HAVE GOOD AND SUFFICIENT CAUSE. WE HAVE A PROJECT THAT WE'RE GOING TO FLOOD PROOF AND ELEVATE OUR HOUSE TO REPLACE TWO NONCONFORMING STRUCTURES IN THE FLOODPLAIN. THE LOT IS WHAT DRIVES OUR VARIANCE IN THAT WE'RE DEPLETELY SURROUNDED BY THE 25-FOOT FLOODPLAIN. THERE'S AN EXCEPTIONAL HARDSHIP WITHOUT GRANTING THIS VARIANCE BECAUSE THERE'S A CONTINUED RISK TO LIFE AND PROPERTY FOR THE HOUSEHOLDS THAT LIVE IN THESE TWO HOUSES. THEY'RE BASICALLY STOWJ TWO FEET OF FLOODING DURING THE 100 YEAR FLOOD EVENT AND THAT WOULD RESULT IN DAMAGE AND POSSIBLY DANGER TO THE OCCUPANTS. ADDITIONALLY THERE'S A SMALL PROBLEM IN THAT THE PUBLIC IS CURRENTLY SUBSIDIZING THE FLOOD INSURANCE FOR THESE TWO HOUSES. IF WE'RE ALLOWED TO REBUILD AND WE PAY THE ACTUARIAL RATES FOR FLOOD INSURANCE, SO WE'RE NOT ON THE PUBLIC DOLE ANYMORE FOR THAT. THIS VARIANCE TO REBUILD IS THE MINIMUM NECESSARY IN THAT WE CAN'T RAISE THIS HOUSE TO FLOOD PROOF IT AND THAT'S WHAT'S REALLY NEEDED TO FLOOD PROOF IT BECAUSE IT'S A SLAB ON GRADE, IT'S JUST NOT COST EFFECTIVE AND FRANKLY NOT FEASIBLE TO RAISE IT TO THE LEVEL WE'RE PROPOSING WITH THE NEW CONSTRUCTION. SO IN CONCLUSION I JUST WANTED TO SAY THAT WE'VE BEEN HERE FOR 14 YEARS. THIS IS WHERE WE WANT TO LIVE, WORK, PLAY. THIS IS WHERE WE WANT TO RAISE OUR FAME. WE WITH THINK OUR

PROJECT REVITALIZES THE NEIGHBORHOOD. WE THINK IT BENEFITS THE COMMUNITY BY PERMANENTLY REMOVING THE HOUSEHOLD FROM THE FLOODPLAIN AND IT WILL REPLACE OUR CURRENT NONCONFORMING HOUSE WITH A FLOOD PROOF RESIDENCE. THAT'S ALL I HAVE TO SAY. IF THERE'S ANY QUESTIONS I WOULD LOVE TO SUPPORT SOME OF THE CONCLUSIONS AND CLAIMS I'VE MADE HERE. THANK YOU.

Mayor Wynn: THANK YOU. QUESTIONS FOR THE OWNER? THANK YOU, SIR. SO WELCOME BACK. YOU HAD A NUMBER OF FOLK HERE WILLING TO DONATE TIME TO YOU, BUT YOU'RE WELCOME TO -- DO YOU HAVE AN IDEA OF HOW LONG A PRESENTATION YOU NEED?

MAYOR, I'LL BE VERY BREVEMENT IBROOF. I THINK I CAN DO IT IN THREE MINUTES AND RESPOND TO ANY QUESTIONS YOU HAVE.

Mayor Wynn: WE'LL START WITH SIX. SO MANY FOLKS WERE WILLING TO DONATE TO YOU AND YOU'RE WELCOME TO GIVE SOME BACK.

MAYOR, IN FRONT OF YOU IS A REVISED PACKET THAT'S THE SAME PACKET THAT I PASSED OUT EARLIER THIS WEEK, BUT IT INCLUDES ADDITIONAL ITEMS IN THERE. OF NOTE IN THERE IS A LETTER FROM A LONG-TIME RESIDENT OF THE STREET. IT'S USUALLY THE PACKET -- HE AND HIS WIFE RESIDED ON THE STREET IN THE MEMORIAL DAY FLOODS IN 1981. HIS LETTER CLEARLY STATES THAT WATER DID NOT FLOOD ANY OF THE PROPERTIES ON THAT STREET, SO DESPITE THE FLOODPLAIN MODELS, THERE HASN'T BEEN AN EVENT ON THIS PROPERTY. THAT REFUTES THE ITEM 7 UNDER THE STAFF FINDINGS THAT THERE WAS FLOODING IN THE AREA. WE DON'T DISPUTE THAT THERE ARE OTHER PROPERTIES CLOSE BY THAT MAY HAVE FLOODED, BUT THE ACTUAL SUBJECT PROPERTIES HAVE NOT. THE RESIDENTS THAT ARE CURRENTLY THERE ARE, AS MR. RUSSELL STATED, IN AN EVENT. THEY'RE GOING TO FLOOD PURSUANT TO THE MODELING OF UP TO TWO FEET. WHAT HE PROPOSES TO DO AS SHOWN IN THE PACKET IS TO ELEVATE THAT STRUCTURE TWO FEET OUT OF THE FLOODPLAIN. SO ESSENTIALLY WHAT WE'RE ACCOMPLISHING HERE IS

PROVIDING SAFE STRUCTURE FOR THE EXISTING RESIDENTS THERE. AS STATED, THERE ARE EXISTING TWO STRUCTURES AND BOTH OF THE STRUCTURES WILL BE TAKEN TO THE GROUND AND ONE NEW STRUCTURE IS GOING TO BE CONSTRUCTED IF THESE VARIANCES ARE GRANTED, AND THAT WILL BE CONSTRUCTED OUT OF THE FLOODPLAIN. YOU HAVE IN YOUR PACKET THAT THE ARCHITECT SAID IT WILL BE BE BUILT TO A FLOOD RESISTANT LEVEL. YOU ALSO HAVE IN YOUR PACKET A STATEMENT THAT SHOWS THAT THIS CONSTRUCTION WILL NOT IN ANY WAY ADVERSELY IMPACT OR CAUSE ADDITIONAL FLOODING PROBLEMS. THE ONE THING WE CAN'T DO IS DO ANYTHING ABOUT THE ACCESS ISSUE. THAT CURRENTLY IN A FIRST RESPONDER SITUATION IS NOT A GOOD SITUATION UNDER THE MODELING, BUT AIZ JUST STATED, IN '81 IT DIDN'T FLOOD IN THE HOUSE. WHAT WE CAN DO IS ELEVATE THESE STRUCTURES. AND THAT'S WHAT THE APPLICANT WILL DO, AND WE THINK IT PROVIDES A MUCH SAFER OPPORTUNITY FOR THE LIVES OF THOSE INVOLVED. YES, THERE'S MORE SQUARE FOOTAGE, BUT THE HOUSE IS GOING TO BE BE CONFIGURED SUCH THAT WE'RE GOING FROM EXISTING SEVEN BEDROOMS DOWN TO FOUR, SO YOU'RE ACTUALLY REDUCING THE AMOUNT OF ENDANGERMENT IN THE PROPOSED CONSTRUCTION. WHAT YOU HAVE BEFORE YOU THAT'S ALSO IN YOUR PACKET IS AN ANALYSIS THAT GOES THROUGH EACH OF THE CRITERIA THAT WE WITH THINK ARE RELEVANT. ALL OF THE CRITERIA FOR GRANTING THIS, EXCEPT FOR TWO, ARE INCREASED BY WHAT'S BEING PROPOSED HERE. THE ONLY ONES THAT ARE STAYING THE SAME ARE THE THING WE CAN'T DO ANYTHING ABOUT, WHICH IS THE FIRST RESPONDER ACCESS. SO WITH THAT, MAYOR, WHAT WE WOULD LIKE IS THERE'S A DRAFT ORDINANCE THAT'S BEEN -- WE'VE BEEN PROVIDED WITH, AND WE THINK THAT ADEQUATELY SETS OUT THE VARIANCES THAT WE'RE SEEKING. WE WOULD LIKE ONE MINOR TWEAK ON THAT VARIANCE RECITE AL. IT TALKS ABOUT A DEFINED FOOTPRINT AS FAR AS THE AMOUNT OF CONDITIONED SPACE, THE GARAGE AND THE LIKE, AND WE WOULD LIKE TO JUST MAX THAT TOTAL AT 5800 -- AT 8800 SQUARE FEET TOTAL AND WITH A FLEXIBLE AMOUNT. BUT THE-- MR. RUSSELL IS NOT SAYING THAT HE'S GOING TO BUILD A LARGER HOME THAN IS SET OUT IN THE VARIANCE,

BUT IT MAY ACTUALLY BE SMALLER IN THE ACTUAL FOOTPRINT, BUT WE DIDN'T WANT TO BE CONFINED AND THEN HAVE A TICKET TECHNICAL ISSUE WHEN HE COMES AND HAS HIS BUILDING PERMIT PROCESS GO THROUGH. I'M NOT SURE THAT'S REALLY A PROBLEM, BUT I DIDN'T WANT A FINDING IN THE ORDINANCE THAT MAY NOT BE ACCURATE. I'LL BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: THANK YOU, MR. GILLETT. QUESTIONS OF THE AGENT, COUNCIL? COUNCILMEMBER LEFFINGWELL.

Leffingwell: WELL, I'M LOOKING FOR THE ORDINANCE YOU'RE TALKING ABOUT HERE. SO MAYBE YOU CAN JUST ANSWER MY QUESTION. IT'S PROBABLY IN THERE ALSO. BUT IS THERE A LIMIT ON THE SQUARE FOOTAGE OF FLOOR SPACE IN THE HOUSE ALSO SPECIFIED IN THERE?

YES, NOOSE THERE. WE'RE OKAY WITH THAT. ACTUALLY, THE CALCULATIONS AREN'T TOTALLY ACCURATE. I THINK BASED ON OUR CALCULATIONS, THE TOTAL AMOUNT OF THE SQUARE FOOTAGE IS A FWIFN 60 SQUARE FOOT -- 5760 SQUARE FOOT RESIDENCE, 1545 SQUARE FOOT GARAGE, 430 FEET OF ENCLOSED STORAGE AREA, A THOUSAND SQUARE FOOT COVERED PORCH. AND THAT TOTALS IN OUR CALCULATIONS, THERE'S ANOTHER 70 FEET OF-- I CAN'T REMEMBER WHAT THAT IS. BREEZEWAY. AND THAT TOTALS #- 8,805 SQUARE FEET. LIVE LEAF BUT THE LIVING SPACE --

Leffingwell: BUT THE LIVING SPACE IS LIMITED TO 5760, FOUR BEDROOMS.

THAT'S CORRECT. AND WE'RE HAPPY TO HAVE THAT RECITAL IN THE ORDINANCE OR THE VARIANCE IF NECESSARY.

Leffingwell: WELL, I THINK THAT'S KIND OF IMPORTANT BECAUSE TAF BASED THEIR RELIGIOUS, AND RIGHTFULLY SO, THEY FOLLOWED WHAT THE CODE SAYS THEY'RE SUPPOSED TO DO, BUT YOUR ARGUMENT IS YOU'RE RUSSIAN THE TOTAL NUMBER -- YOU'RE REDUCING THE TOTAL NUMBER BE OF BEDROOMS ON THE LOTS FROM SEVEN TO FOUR. AND ACTUALLY REDUCING THE AMOUNT OF OCCUPANCY THAT COULD BE LIVING WITHIN THE

FLOODPLAIN.

THAT'S CORRECT.

Leffingwell: OF COURSE, -- AND OF COURSE, THEY WILL BE ELEVATED OUT OF THE FLOODPLAIN AND GHOOS FOR THEM. THAT'S NOT SO GOOD FOR THE EMERGENCY RESPONDERS THAT MIGHT HAVE TO COME THERE, BUT THAT'S AT LEAST ONE GOOD THING.

THAT'S CORRECT, THANK YOU. ANY OTHER QUESTIONS?

Mayor Wynn: QUESTIONS FOR MR. GILLETT?  
COUNCILMEMBER MARTINEZ.

Martinez: MR. GILLETT, YOU JUST SAID THAT YOUR GROSS FLOOR AREA WAS 8800?

APPROXIMATELY, YES.

Martinez: IS YOUR IMPERVIOUS COVER WITH YOUR DRIVEWAYS CHANGED ANY? HAS IT CHANGED FROM WHAT'S IN HERE? IS IT ANY DIFFERENT? BECAUSE WHEN YOU ADD 8800 WITH THE 2,880, YOU MIGHT HAVE GETTING CLOSE TO YOUR 45% MAXIMUM IMPERVIOUS COVER COVER LIMIT. WHICH I BELIEVE IS WHAT McMANSIONS REQUIRES.

BASED ON THE ANALYSIS WE HAVE THAT HIS CONSULTANTS HAVE DONE, WE'RE UNDER THE ALLOWABLE IMPERVIOUS COVER AND WE DO NOT TRIGGER McMANSION IN ANYTHING THAT WE'RE DOING.

I JUST WANT TO MAKE SURE THAT WE'RE STAYING COMPLIANT WITH THE McMANSIONS. IT SOUNDS LIKE YOU MIGHT BE CLOSE BECAUSE WHAT YOU'RE PROPOSING HERE IS 7,735 FLOOR AREA SQUARE FEET AND YOU JUST SAID IT'S 880, SO THAT'S A THOUSAND MORE SQUARE FEET. I JUST WANT YOU TO MAKE SURE THAT YOU'RE NOT POKING UP AGAINST THAT.

WE'RE HAPPY TO HAVE THOSE LIMITATIONS THAT WOULD BE COMPLIANT WITH McMANSION AND COMPLIANT WITH

## IMPERVIOUS COVER REQUIREMENTS.

THIS IS JEFF RUSSELL AGAIN, THE APPLICANT. I CAN ANSWER THAT QUESTION. SOME OF THAT 8800 OR SO SQUARE FEET ACTUALLY COVERS THE DRIVEWAY, WHICH IS PART OF THE FLAT WORK CALCULATION FOR IMPERVIOUS COVER. SO THERE'S KIND OF SOME OVERLAP HERE. AND THE REASON WE'RE ASKING FOR THAT LIMIT IS WE'RE A THIRD OF THE WAY THROUGH THE DESIGN PROS WITH THE ARCHITECT -- THE DESIGN PROCESS WITH THE ARCHITECT AND THE NEXT STEP IS TO MAKE IT SMALLER. SO RIGHT NOW THIS IS A SCHEMATIC DESIGN AND IF WE WORK INTO IT WE EXPECT THE MAIN LIVING SPACE TO DECREASE EVER SO MUCH, BUT THAT MIGHT AFFECT THE SIZE OF THE BREEZEWAY ATTACHING THE GARAGE. I WAS VERY CONCERNED IF THE BREEZEWAY INCREASES BY 30, 40 SQUARE FEET, WE'LL HAVE TROUBLE. THAT'S THE WHOLE ISSUE. THANK YOU.

Leffingwell: ANOTHER QUICK QUESTION. WHAT WE'RE DEALING WITH HERE IS A HEALTH AND SAFETY VARIANCE. I'M ASSUMING ALL ALONG THAT THE OTHER CODES AND ORDINANCES OF THE CITY WOULD BE IN PLACE. McMANSIONS, IF THAT LIBRARY MIGHT BE APPLICABLE ALSO ZONING RESTRICTIONS, ETCETERA. SO APPROVAL OF THIS VARIANCE WOULD IN NO WAY RELEASE YOU FROM CONFORMING TO THE OTHER LAWS.

Mayor Wynn: THANK YOU ALL. BEFORE I READ ALL THE FOLKS WHO ARE SIGNED UP FOR THE RECORD IN FAVOR, GUARD GARDENER SUMNER WAS HERE EARLIER, WANTED TO SPEAK IN OPPOSITION. WELCOME, MR. SUMNER. YOU HAVE THREE MINUTES. WELCOME. THANK YOU FOR YOUR PATIENCE.

MAYOR, COUNCILMEMBERS, MY NAME IS GARDENER SUMNER. I'M WITH THE ZILKER NEIGHBORHOOD ASSOCIATION. I'M ONLY HERE BECAUSE, AS WAS THE CASE ABOUT A MONTH OR SO AGO, I WAS TALKING ABOUT THE SAME PROBLEM ABOUT BUILDING IN A 25-YEAR FLOODPLAIN THERE ARE SEVERAL ASPECTS OF THIS CASE WHICH I WILL LIKE TO REVIEW BRIEFLY. ONE, THIS APPLICATION VIOLATES A CITY CODE. NUMBER TWO, IT IS NOT RECOMMENDED BY

YOUR OWN STAFF MEMBERS. NUMBER THREE, A NUMBER OF HOMES IN THIS AREA HAVE BEEN FLOODED. NUMBER FOUR, TODAY WITH ITEMS 11 AND 12, COUNCIL PASSED THE EXPENDITURE OF \$280,000 TO BUY OUT FLOODED HOMES. MY LAST QUESTION AND MY COMMENT IS WHY ARE WE DOING THIS? WHY ARE WE ALLOWING KNEES FLOODED PLACES TO BE BOUGHT OUT WHILE WE'RE GETTING READY TO BUILD MORE PLACES THAT MIGHT BE FLOODED? NOW, I HAVE NOTHING AT ALL AGAINST THE APPLICANT. THIS SOUND LIKE A NICE PLAN. I JUST THINK THAT IT SETS A BAD PRESSPRECEDENT TO ALLOW THESE THINGS TO BE DONE IN DIRECT VIOLATION OF A CITY ORDINANCE. ONE OTHER THING I NOTICED, IT LOOKS LIKE THERE ARE SOME TREES IN THIS AREA THAT WILL HAVE TO BE KILLED IN ORDER TO COMPLOOT THESE PLANS, WHICH I DON'T THINK IS A GOOD IDEA EITHER. I WOULD FINALLY JUST ASK YOU TO ALSO MAKE SURE OF THE APPLICANT'S ASSERTION THAT HE DOES HAVE FLOOD INSURANCE. IF THESE HOMES ARE LOUD TO BE BUILT IN THESE PRECARIOUS SITUATIONS, I WOULD CERTAINLY THINK IT WOULD BE BE MANDATORY TO MAKE SURE THAT INSURANCE IS IN PLACE SO THAT THE CITY DOES NOT HAVE TO PAY TO BUY THEM OUT AGAIN. THANK YOU VERY MUCH FOR YOUR TIME.

Mayor Wynn: THANK YOU, MR. SUMNER FOR YOUR PATIENCE ALL EVENING. SO COUNCIL, IN ADDITION TO THE -- NOW MR. GILLETT AND MR. RUSSELL, A NUMBER OF FOLKS ARE NOT WISH TO GO SPEAK, BUT WANT TO BE SHOWN IN FAVOR OF THIS VARIANCE, AND THOSE WOULD BE ELIZABETH AND WELLS MOREHEAD, SUZANNE MEDINA, MARLENE FRIDAYLY, MELISSA PETERSON, JOHN MIDDLETON, KIRK RICKNER, AMY BEVERAGE, DIANA GEORGE, DENNIS HERON. STEVEN LIMBERG ANNE STEPHENSON AND JEFFLY HOUSE ALL SIGNED UP WISHING TO SPEAK IN IN FAVOR. FURTHER QUESTIONS, COMMENTS? THOUGHTS? MOTIONS? COUNCILMEMBER MARTINEZ.

Martinez: MOTION BY COUNCILMEMBER MARTINEZ TO CLOSE THE PUBLIC HEARING AND APPROVE THE FLOODPLAIN VARIANCE.

Dunkerley: SECOND.

Mayor Wynn: SECONDED BY THE MAYOR PRO TEM. FURTHER COMMENTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: WELL, I THINK IT'S KIND OF WELL WITH KNOWN THAT I RARELY VOTE FOR THESE VARIANCES, BUT I'M GOING TO MAKE AN EXCEPTION THIS TIME. I DON'T BELIEVE IT'S SAFE, I BELIEVE IT'S SAFER. AND THAT RATIONALE IS BASED ON THE FACT THAT I THINK IT'S REASONABLE TO ASSUME THAT THE OCCUPANCY RATE ON THESE TWO COMBINED LOTS WOULD BE LESS BECAUSE WE'RE REDUCING THE NUMBER OF BEDROOMS FROM SEVEN TO THREE. EVEN THOUGH THE STAFF IS BOUND TO MAKE THAT CALCULATION BASED ON SCWAIRNG, I ALSO THINK IT'S REASONABLE TO BASE IT ON NUMBER BE OF BEDROOMS. AND ALSO THE FACT THAT THE FLOOR LEVEL IS BEING RAISED OUT OF THE FLOODPLAIN IS VERY SIGNIFICANT BECAUSE I THINK THAT HELPS TO FLOOD PROOF THE NEW STRUCTURE AND HELPS TO PROTECT PEOPLE DOWNSTREAM. SO I'M GOINGS TO BREAK MY NORMAL RULE AND I'M GOING TO VOT FOR THIS ONE.

Mayor Wynn: FURTHER COMMENTS? MOTION AND A SECOND ON THE TABLE TO APPROVE THE VARIANCE. COUNCILMEMBER MARTINEZ.

Martinez: I WANT TO MAKE SURE THAT THE REQUEST BY THE APPLICANT FOR THE TWEAK IN THE LANGUAGE OF THE CONDITIONED SPACE BE ALSO INCORPORATED INTO THE MOTION.

MAYOR AND COUNCIL, WHAT I'M GOING TO NEED TO DO IS ASK MITZI COTTON IF SHE'S COMFORTABLE ENOUGH WITH WHAT SHE HEARD TO MAKE THE DHIENG THE ORDINANCE. DO WE CLEARLY UNDERSTAND WHAT THE WILL OF COUNCIL WILL BE WITH THOSE CHANGES?

MITZI COTTON, ASSISTANT CITY ATTORNEY. LET ME GOOD OVER THEM TO MAKE SURE I'VE GOT IT. INSTEAD OF SPECIFYING THE SQUARE FOOTAGE FOR THE RESIDENTS AND -- THE RESIDENCE AND THE GARAGE, YOU'RE ASKING THAT WE PUT THE 8800 SQUARE FEET TOTAL IMPERVIOUS OR ARE YOU ASKING THAT WE PUT THE 5760 OF LIVING

SPACE IN THERE?

Martinez: I BELIEVE MR. GILLETT SPOKE TO THE 5700 SQUARE FEET AS IT RELATES TO CONDITIONING, AIR CONDITIONING, HEATING, COOLING.

SO 5760 OF CONDITIONED SPACE. OKAY.

Mayor Wynn: AGAIN, WE HAVE A CLARIFIED MOTION AND A SECOND ON THE TABLE TO APPROVE THE VARIANCE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER COLE OFF THE DAIS. THANK YOU ALL VERY MUCH. SO COUNCIL, OUR FINAL PUBLIC HEARING, ITEM NUMBER 65, REGARDING A RESOLUTION APPROVING RECOMMENDATIONS SET FORTH IN 2004 F.A.R. PART 150 NOISE STUDY UPDATE FOR OUR AIRPORT. WHILE WELCOME STAFF PRESENTATION. WE'LL WELCOME A STAFF PRESENTATION. I AM PROJECT MANAGER FOR THE PART 150 NOISE STUDY UPDATE. THE AVIATION DEPARTMENT COMES BEFORE THIS BODY TONIGHT TO PROVIDE THE CITIZENS OF AUSTIN AND THE COUNCIL THE OPPORTUNITY TO COMMENT ON AND ULTIMATELY TO GAIN THE APPROVAL OF THE PART 150 NOISE COMPATIBILITY PROGRAM UPDATE RECOMMENDATIONS PROPOSED BY THE AVIATION DEPARTMENT. I'D LIKE TO PROVIDE A BRIEF HISTORICAL PERSPECTIVE OF THE ABIA NOISE PROGRAM TO DATE. THIS IS THE THIRD NOISE STUDY TO BE CONDUCTED BE AIRPORT. THE FIRST ONE WAS COMPLETED IN 1993 AND OART IN 1999. THE CURRENT PART 150 PROCESS AS WELL AS THOSE IN THE PAST HAVE TAUGHT TO IMPLEMENT NOISE MITIGATION AND NOISE ABATEMENT REMEDIES TO PROMOTE LAND USE AROUND THE AIRPORT AND WHILE MAINTAINING A SAFE AND EFFICIENT AIRPORT OPERATIONS. WE HAVE SEEN \$29 MILLION, OF WHICH 80% OF THAT WAS FEDERAL MONEY AND THE OTHER 20% BEING THE CITY'S MATCHING MONEY FROM THE AVIATION DEPARTMENT'S AIRPORT IMPROVEMENT PROGRAM. SIFNTION RECEIVING THOSE FEDERAL DOLLARS WE'VE BEEN ABLE TO SUCCESSFULLY IMPLEMENT SEVERAL PRIOR RECOMMENDATIONS. MOST NOTELY THE AIRNT HASTHE AIRPORT HAS RELOCATED

APPROXIMATELY 250 RESIDENTS OUT OF THE MOST SENSITIVE AREAS SURROUNDING THE AIRPORT THIS HAS BEEN THE BIGGEST IMPROVEMENT IN REDUCING NOISE IN THE COMMUNITIES. IN 2003 THERE WAS A FLIGHT MONITORING SYSTEMING SYSTEM. SINCE THAT TIME THE AIRPORT'S NOISE ABATEMENT OFFICE HAS BEEN ABLE TO PROVIDE NEAR REALTIME RESPONSES TO CITIZEN'S INQUIRIES TO AIRCRAFT OR OTHER NOISE COMPLAINTS. THE AIRPORT HAS LOGGED AND RESPONDED TO NEARLY 50 NOISE INQUIRIES EACH YEAR OVER THE FOUR-YEAR PERIOD. IT HAS ALSO PROVEN ITSELF AS A VALUABLE TOOL FOR MONITORING AIRCRAFT OPERATIONS AND THROUGHOUT THE NEIGHBORHOODS 24 HOURS A DAY, SEVEN DAYS A WEEK. THE ADOPTION OF THE COMPATIBLE LAND USE AND AIRPORT HAZARDOUS ORDINANCE IN 2009. THIS ORDINANCE NOT ONLY ENSURES THE SUCCESS OF MITIGATE THE NOISE, BUT IT ALSO ENSURES THE SAFETY OF AIRCRAFT OPERATIONS IN AND AROUND THE AIRPORT ENVIRONMENT. THIS IS ALSO PROVEN TO BE A VERY VALUABLE TOOL FOR PREVENTING NON-COMPATIBLE LAND USES NEAR THE AIRPORT, RECOGNIZING THE NEED AND APPROVING A STRONG LAND USE ORDINANCE IS A GREAT CREDIT TO THE CITIZENS OF AUSTIN AND THE COUNCIL. SEVERAL AIRPORTS THROUGHOUT THE U.S. HAVE SUFFERED BECAUSE OF POOR LAND USE PLANNING. SOME EXAMPLES WOULD BE SAN DIEGO, DALLAS FORT WORTH, SEATTLE TACOMA AND PORTLAND OUT ON THE WEST COAST. ONLY ONE HAS TO LOOK BACK AT THE DAYS OF THE OLD ROBERT MUELLER AIRPORT TO GET AN APPRECIATION OF HOW ENCROACHING LAND DEVELOPMENT, NOISE AND LAND USE PLANNING IMPACTED THE AIRPORT'S OPERATIONS AND ULTIMATELY ITS CAPACITY. TONIGHT'S TECHNICAL PRESENTATION WILL PROVIDE AN OUTLINE OF THE PROCESS AND MEANS BY WHICH WE AS AN AIRPORT MET THE REQUIREMENTS ESTABLISHED BY THE FEDERAL AVIATION ADMINISTRATION IN CONDUCTING A PART 150 NOISE STUDY UPDATE. THE ISSUE OF NOISE AND HOW IT AFFECTS INDIVIDUALS IS A VERY SUBJECTIVE TOPIC, HOWEVER, THE FEDERAL GOVERNMENT HAS ESTABLISHED CERTAIN MEASUREMENT CRITERIA IN AN EFFORT TO BE MORE CONSISTENT WITH NOISE OR HOW NOISE IS MEASURED, PERCEIVED AND ULTIMATELY HOW FUNDING IS ALLOCATED TO REDUCE ITS

IMPACT. THE PART 150 NOISE STUDY UP UPDATE IS CONDUCTED TO DO PRIMARILY TWO OBJECTIVES. FIRST IS THE CREATION OF THE NOISE EXPOSURE MAPS. ONE FOR CONDITIONS IN 2007 AND ONE FOR FUTURE TEXANS CONDITIONS IN 2012. THE GRAPHIC BE CL CONDITIONS OF THE NOISE CON TURZ ARE REPRESENTATIVE ACTIVE OF THE RESULTS FROM DATA PUT INTO THE F.A.A. APPROVED INTEGRATED NOISE MODEL PROGRAM. IN FEBRUARY OF 2007, THE 2007 AND 2012 NOISE EXPOSURE MAPS WERE SUBMITTED BY THE AVIATION DEPARTMENT AND WERE ACCEPTED BY THE F.A.A. THIS MEANS THAT THEY AGREE TO THE MEANS AND METHODS OF HOW THE NOISE CONTOURS WERE GENERATED. THE SECOND OBJECT BE ACTIVE IS THE NOISE COMPATIBILITY PLAN, WHICH IS AN ANALYSIS OF THE VARIOUS NOISE ABATEMENT AND MITIGATION AM TERNTIVES AVAILABLE. IT IS THESE ALTERNATIVES, 10 IN ALL, THAT WE'RE SEEKING APPROVAL HERE THIS EVENING. YOUR APPROVAL OF THE RECOMMENDATIONS PRESENTED THIS EVENING WILL ALLOW THE AIRPORT TO APPLY FOR FEDERAL FUNDS AND CONTINUE CONVERT IS NON-COMPATIBLE LAND USE TO COMPATIBLE LAND USE. THIS WILL ULTIMATELY REDUCE THE NUMBER OF RESIDENTIAL PROPERTIES WITHIN THE 65 DECIBEL CONTOUR PRIMARILY WILLTHROUGH THE ACQUISITION PROCESS. WE HAVE MADE IT OUR GOAL TO MINIMIZE THE IMPACT IT MAY HAVE ON ITS NEIGHBORS, BE REDUCING THE IMPACT THAT NOISE HAS ON THE SUR ROWBDING COMMUNITY GREATLY IMPROVES THE QUALITY OF LIFE FOR THE CITIZENS THAT CALL AUSTIN HOME. MR. MAYOR, COUNCILMEMBERS, AT THIS POINT I'D LIKE TO INTRODUCE MR. RON SEYMOUR WITH THE SEA AIRPORTS. -- ESA AIRPORTS. HE IS GOING TO LEAD THE BRIEF TECHNICAL DISCUSSION AT THIS POINT.

MAYOR WYNN, COUNCILMEMBERS. WHAT I'D LIKE TO DO TONIGHT IS AS JOE MENTIONED JUST TAKE YOU THROUGH THE PROCESS THAT WE FOLLOWED WITH WITH THIS STUDY AND THEN GO OVER THE RECOMMENDATIONS THAT WE CAME UP WITH. WHAT I WANT TO DO IS TALK ABOUT WHAT IS A PART 150 STUDY, TALK A LITTLE BIT ABOUT THE NOISE EXPOSURE MAPS JOE MENTIONED, THE NOISE COMPATIBILITY ELEMENTS THAT IS WHAT WE CAN DO TO INCREASE THE COMPATIBILITY OF THE LAND USE AROUND

THE AIRPORT, TALK ABOUT SOME OF THE RECOMMENDATIONS AND THEN WHAT ARE THE NEXT STEPS. THE PART 150 STUDY IS A VOLUNTARY PROGRAM THAT AIRPORTS CAN TAKE ON IF THEY WANT TO DECREASE THE AMOUNT OF NON-COMPATIBLE LAND USES AROUND AN AIRPORT. EVEN THOUGH IT'S A VOLUNTARY PROGRAM, ONCE AN AIRPORT DOES AGREE TO TAKE ON THAT PROGRAM, THE FEDERAL GOVERNMENT CALLS OUT VERY SPECIFIC GUIDELINES AND STEPS THAT THE AIRPORTS MUST FOLLOW AS THEY GO THROUGH THIS PROCESS. AS WE GO THROUGH THIS PROCESS, WE NEED TO LOOK BE AT WHAT THE EXISTING CONDITIONS ARE, WE NEED TO LOOK AT WHAT THE FUTURE CONDITIONS ARE, AND THEN SEE WHAT WE CAN DO TO TRY TO IMPROVE THOSE FUTURE CONDITIONS. WHAT YOU SEE HERE IS A ROID MAP OF WHAT THE PROCESS IS THAT WE FOLLOWED. THE KEY TO THIS WHOLE PROCESS IS INVOLVEMENT BY THE PUBLIC AND THE STAKEHOLDERS. AND THAT'S ONE OF THE KEY REQUIREMENTS THAT THE GOVERNMENT REQUIRES IS THAT YOU MAKE SURE THAT THE PUBLIC HAS ADEQUATE OPPORTUNITY TO PROVIDE INPUT INTO THE STUDY AS WELL AS STAKEHOLDERS, WHICH WILL BE USERS OF THE AIRPORT. WHAT WE DID IS WE ESTABLISHED A TECHNICAL ADVISORY COMMITTEE. THAT COMMITTEE CONSISTED OF 17 DIFFERENT MEMBERS, AIRLINES, THE F.A.A., LOCAL JURISDICTIONS, THE NEIGHBORHOOD ASSOCIATIONS AROUND THE AIRPORT. WE HAD FOUR MEETINGS WITH THIS GROUP THROUGHOUT THE PROCESS TO TALK ABOUT THE DIFFERENT ASPECTS OF THE STUDY, WHAT WE WERE FINDING AS WE WENT THROUGH OUR ANALYSIS AND TO GET THEIR FEEDBACK AND INPUT. WE ALSO HAD PUBLIC ON HOUSES. WE HAD THREE THROUGHOUT THE STUDY. FOR THE OPEN HOUSES WE MAILED OUT 6,000 POSTCARDS FOR EACH OPEN HOUSE TO THE ZIP CODES AROUND THE AIRPORT TO MAKE SURE THAT WE TRIED TO CONTACT AS MANY PEOPLE AROUND THE AIRPORT THAT MAY BE BE IMPACTED BY AIRCRAFT NOISE SO THAT THEY COULD SHOW UP AND ATTEND THE MEETINGS AND PROVIDE INPUT. AND IN ADDITION TO THOSE THAT COULD NOT ATTEND THE MEETINGS THE AIRPORT HAD A WEB PAGE WHERE WE PUT ALL MEETING NOTICES, ALL MEETING MINUTES AS WELL AS ANY DRAFT DOCUMENTS THAT WE HAD FOR REVIEW. THE

BASIS OF A NOISE STUDY IS YOU HAVE TO DETERMINE WHAT THE NOISE IMPACTS ARE AROUND THE AIRPORT. TO DO THAT THE FEDERAL GOVERNMENT REQUIRES THAT YOU USE A COMPUTER MODEL CALLED THE INTEGRATED NOISE MODEL. WHAT THIS SCHEMATIC SHOWS YOU IS THAT THE LARGE CIRCLE IN THE MIDDLE IS THE INM. AROUND THE CIRCLES AROUND THE OUTSIDE ARE THE DIFFERENT ASPECTS THAT FEED INTO THAT, INCLUDING THE NUMBER OF OPERATIONS, THE TYPES OF AIRCRAFT, THE FLIGHT PATTERN THAT THE AIRCRAFT USE, THE TIME OF DAY THEY USE, THE TYPE OF ENGINES ON THE AIRCRAFT. ALL OF THAT IS FED INTO THE NOISE MODELS TO PRODUCE WHAT IS KNOWN AS A NOISE CONTOUR. WHAT YOU SIGN UP HERE IS A 2007 NOISE CONTOUR. THIS IS ACTUALLY A PORTION OF THE NOISE EXPOSURE MAP THAT WAS SUBMITTED TO THE F.A.A. AND THEY ACCEPTED IT. WHAT WE'VE DONE HERE IS ASSUMED IN ON THAT MAP TO JUST WHAT THE NOISE CONTOURS LOOK LIKE. WHAT YOU SEE UP HERE, UNDER FEDERAL GUIDELINES REPRESENTS A SIGNIFICANT NOISE IMPACT. IF YOU LOOK OUTSIDE THOSE LINES IT DOESN'T MEAN NOISE STOPS OR THE LINE STOPS, IT JUST MEANS UNDER FEDERAL GUIDELINES THAT'S A SIGNIFICANT NOISE IMPACT AND WITHIN THOSE GUIDELINES DIFFERENT LAND USES ARE CONSIDERED TO BE NOT COMPATIBLE WITH THAT NOISE LEVEL. AS YOU CAN SEE, UP HERE WE HAVE HIGHLIGHTED WITHIN THE CONTOURS THE AREAS YOU CAN SEE HERE THAT ARE DARKENED REPRESENT THOSE AREAS THAT ARE CONSIDERED NON-COMPATIBLE. THIS PRIMARILY REPRESENTS RESIDENTIAL LAND USES. THERE'S ALSO ONE PLACE OF WORSHIP AS WELL AS ONE LOCATION OF A POTENTIALLY HISTORIC SITE. WE ALSO LOOKED INTO THE FUTURE FIVE YEARS FOR 2012 AND THIS IS WHAT THE NOISE CONTOUR LOOKED LIKE, THAT IT GREW LIGHT SLIGHTLY DUE TO THE NUMBER BE OF OPERATIONS. BETWEEN 2007 AND 2012 WE'RE PREDICTING ABOUT A 15% INCREASE IN THE NUMBER OF OPERATIONS PER DAY AT THE AIRPORT. AGAIN, WE HIGHLIGHTED THOSE AREAS THAT REPRESENT NON-COMPATIBLE LAND USES. ONCE YOU HAVE WHAT THE NOISE EX-SPOIS SURE LOOK LIKE AROUND THE AIRPORT, THE NEXT STEP IS YOU NEED TO GO THROUGH AND LOOK AT SOME DIFFERENT AREAS AS TO HOW YOU CAN IMPROVE THE COMPATIBILITY OF THE LAND USE AROUND THE AIRPORT.

THERE ARE THREE DIFFERENT CATEGORIES THAT THE F.A.A. REQUIRES US TO LOOK AT, AIRLINE PROCEDURES, LAND USE MEASURES SUCH AS ACQUISITION, AND ADMINISTRATIVE MEASURES, WHICH WILL BE AT THE AIRPORT, NOISE ABATEMENT OFFICE. SO WE WENT THROUGH AND LOOKED AT EACH OF THE MEASURES THAT I JUST DESCRIBED, AND THESE ARE THE RECOMMENDATIONS THAT WE CAME UP WITH. FOR OPERATIONAL MEASURES, CONTINUE THE USE OF THE PREFERENTIAL RUNWAY USE SYSTEM THAT WAS ESTABLISHED IN THE PRIOR PART 150 STUDY WHICH BASICALLY IDENTIFIES RUNWAYS DURING CERTAIN HOURS OF THE DAY THAT SHOULD BE USED TO TRY TO REDUCE THE IMPACTS ON LOCAL RESIDENTS. WE ALSO RECOMMEND ESTABLISHING A NOISE MONITORING PROGRAM USING THE SYSTEM TO TRY TO INCREASE THE ADHERENCE TO SOME OF THE NIGHTTIME PROCEDURES THAT WERE IDENTIFIED IN THE PREVIOUS PART 150 STUDY AND ALSO TO CONTINUE WITH THE EXISTING ENGINE MAINTENANCE PROCEDURES. FOR THE ACQUISITION PROGRAM WE TOOK THE 2012 NOISE EXPOSURE MAP CONTOUR THAT YOU SAW A FEW MINUTES AGO AND IDENTIFIED WITHIN THAT 65 PARCELS THAT SHOULD BE ACQUIRED TO BASICALLY COMPLETE THE ACQUISITION FOR THE AIRPORT WITHIN THE NOISE IMPACTED AREAS. THIS INCLUDES THE JET LANE PATTON AVENUE NEIGHBORHOOD, SEVERAL MULTI-FAMILY PROPERTIES. THE ESTIMATED COST FOR THIS IS \$32 MILLION IN \$2,007. AND WHAT'S KEY WITH THIS TOO IS THE ACQUISITION OF THE PROPERTIES IS CONDITIONED ON SEVERAL THINGS. ONE, WHICH FIRST IS THE F.A.A. APPROVAL OF THE ACQUISITION. AND THEN THE CITY OF AUSTIN APPLYING FOR THEIR FUNDING TO PURCHASE THOSE PROPERTIES. THE PREVENTIVE LAND USE MEASURES, AUSTIN HAS DONE A VERY NICE DISBLOB THE PAST OF SETTING UP DIFFERENT CRITERIA TO TRY TO REDUCE NEW DEVELOPMENT HAPPENING AROUND THE AIRPORT. MAINTAIN THE AIRPORT OVERLAY ZONES THAT WERE ESTABLISHED, WHICH BASICALLY ARE ZONES AROUND THE AIRPORT THAT LIMIT THE TYPES OF USES THAT CAN OCCUR WITHIN THOSE. AND IF THEY DO OCCUR, CERTAIN MEASURES THAT HAVE TO TAKE PLACE WITHIN THE BUILDING OF THE PROPERTIES TO TRY TO REDUCE THE NOISE LEVEL. THE BUILDING CODE REQUIREMENTS WHICH I

JUST DISCUSSED AND ALSO TO TRY TO EDUCATE THE LOCAL COMMUNITIES AND AS PEOPLE COME FORWARD WITH WITH BUILDING PERMITS. AS FAR AS ADMINISTRATIVE MEASURES, BASICALLY KEEPING THINGS AS THEY ARE NOW WITH THE CITY OF AUSTIN MAINTAINING THE PROGRAM MANAGEMENT FOR THE NOISE COMPATIBILITY PROGRAM, MAINTAINING THE NOISE ABATEMENT OFFICE WHICH PROVIDES AN AVENUE FOR THE CITIZENS TO CALL IN WITH QUESTIONS ABOUT NOISE AND TO GET INFORMATION ON WHAT IS GOING ON AT THE AIRPORT. TO ROUTINELY UPDATE THE NOISE CONTOURS AS CONDITIONS CHANGE TO SEE IF THEY CHANGE IN SIZE. AND TO UPGRADE THE SOFTWARE CURRENTLY BEING USED TO THE NEWEST VERSION WHICH WOULD COME TO AN ESTIMATED COST OF ABOUT \$700,000 FOR THAT. -- \$600,000 FOR THAT. SO WHAT WE HAVE HERE ARE ALL THE RECOMMENDATIONS THAT WE JUST DISCUSSED, REQUIRE THE 65 PARCELS FOR A COST OF \$32 MILLION ESTIMATED, MAINTAINING THE AIRPORT OVERLAY ZONE, MAINTAINING THE BUILDING CODE REQUIREMENTS, MAINTAIN PROGRAM MANAGEMENT FOR THE NOISE COMPATIBILITY PROGRAM WITH THE CITY OF AUSTIN, MAINTAIN THE NOISE ABATEMENT OFFICE, MAINTAIN AND UPGRADE THE ANON STRJS UPDATE THE NOISE EXPOSURE MAPS AS THEY NEED IT. MAINTAIN PREFERENTIAL RUNWAY USE SYSTEM, MAINTAIN THE MAINTENANCE PROCEDURES CURRENTLY IN PLACE AND ESTABLISH THE MONITORING PROGRAM FOR THE NIGHTTIME DEPARTURE PROCEDURES. SO WHAT ARE THE NEXT STEPS? THE NEXT STEPS IS TO OBTAIN CITY COUNCIL APPROVAL ON THESE RECOMMENDATIONS, INCORPORATE THE COMMENTS FROM TODAY'S PUBLIC HEARING INTO THE DOCUMENT AND SUBMIT THAT DOCUMENT TO THE F.A.A. FOR THEIR REVIEW. THE F.A.A. REVIEW PROCESS, THEY GET 180 DAYS TO REVIEW THE DOCUMENT AND THEY TYPICALLY TAKE THE FULL 180 DAYS FOR THE REVIEW. THE MEASURES ARE REVIEWED ON A LINE ITEM BASE AND FOR THOSE THEY APPROVE THE CITY CAN APPLY FOR FEDERAL FUNDS TO IMPLEMENT THAT PROGRAM W THAT I'D LIKE TO THANK THE CITY OF AUSTIN FOR THE OPPORTUNITY TO SERVE ON THIS PROJECT AND OPEN IT FOWP ANY QUESTIONS.

Leffingwell: MAYOR?

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: THE \$32 MILLION, YOU SAID PART OF THAT WOULD COME FROM THE FEDERAL GOVERNMENT AND PART WOULD COME FROM THE CITY OF AUSTIN. I'M ASSUMING THAT THAT COMES OUT OF THE AIRPORT FUND, THE BERGSTROM? SO THAT MONEY CAN BE USED FOR ANY NON-AIRPORT PURPOSE ANYWAY.

THAT'S CORRECT.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? WE DO HAVE A HANDFUL OF CITIZENS WHO WOULD LIKE TO GIVE US FEEDBACK ON THIS PUBLIC HEARING. SO WO I U. WITHOUT FURTHER ADIEU, WE'LL GO TO THE SPEAKER SIGN-UP. OUR FIRST SPEAKER IS MR. GEORGE BUSH. SIGNED UP NOT WISH TO GO SPEAK. [ LAUGHTER ] NEXT SPEAKER -- GRACE. EXCUSE ME, IT'S GETTING LATE. AND GRACE WILL BE FOLLOWED BY GRACE LETO. WELCOME, MA'AM. YOU WILL HAVE THREE MINUTES. YOU PROBABLY NEED TO PULL THE MICROPHONE DOWN FOR YOU.

GOOD EVENING, MAYOR AND COUNCILMEMBERS. MY NAME IS GRACE ACRES AND WE HAVE LIVED AT 804 PATTON AVENUE FOR THE PAST 39 YEARS. EXCUSE ME. AFTER THE CITY OF AUSTIN ACQUIRED BERGSTROM AIR FORCE BASE FOR AN INTERNATIONAL AIRPORT, MYSELF AND NEIGHBORS ATTENDED A MEETING AND WAS GIVEN THESE TWO BOOKLETS, PROPERTY PURCHASED AND RELOCATION ASSISTANCE, AND YOUR RIGHTS AND BENEFITS AS A DISPLACED HOMEOWNER. WE WERE ASSURED THEN THAT OUR HOMES WOULD BE PURCHASED. HOW LITTLE DID I KNOW THAT 14 YEARS LATER HERE I AM STANDING UP HERE ASKING YOU THE SAME THING. JJ PICKLE TOLD US AT A MEETING, VOTE FOR THE AIRPORT AND THE CITY OF AUSTIN WOULD PURCHASE YOUR HOMES. AND THE PROCESS WOULD ONLY TAKE SEVEN YEARS. GUS GARCIA AND MARGARET GOMEZ CAME TO OUR NEIGHBORHOOD MEETINGS AND ALSO ASSURED US THAT OUR HOMES WOULD BE BOUGHT. MAYOR KIRK WATSON STOOD UP ON THE DAIS AND CONFIRMED WITH THE CITY MANAGER STATING, YES, THE CITY OF AUSTIN HAD THE MONEY TO BUY OUR HOMES. THAT WAS IN 1999. THERE'S REALLY ONE THING

MISSING, THOUGH, WE ALL FORGOT TO ASK WHEN. AND THAT'S WHAT I'M HERE FOR TODAY IS WHEN? IS IT GOING TO BE ONE YEAR, TWO YEARS, FIVE YEARS? ALSO, WHAT OFFICE SOME OF MY NEIGHBORS DON'T WANT TO SELL? WHAT THEN? ARE YOU JUST GOING TO TAKE THEIR HOMES? IT'S NOT KNOWING THAT BOTHERS ME AND SOME OF THE OLDER PEOPLE IN THE NEIGHBORHOOD. IN THE BEGINNING WE WERE TOLD WE HAD THREE CHOICES, PURCHASE OF OUR HOMES, SOUNDPROOFING OR FLIGHT PATH EASEMENT. SO HERE I AM 14 YEARS LATER, STILL PATIENTLY WAITING AND WONDERING WHAT IS THE CITY OF AUSTIN GOING TO DO? THEY ALWAYS SAY THE THIRD TIME'S A CHARM. WELL, YOU'RE THE FOURTH ADMINISTRATION THAT I'VE STOOD BEFORE, SO PROVE TO THAWS YOU'RE CAPABLE OF DOING SOMETHING AND DON'T JUST USE THE TYPICAL POLITICIAN PHRASE, TELL THEM WHAT THEY WANT TO HEAR AND THEN FORGET ABOUT THEM. THANK YOU.

Mayor Wynn: THANK YOU. THOSE ARE VERY FAIR QUESTIONS. GRACE LETO IS OUR NEXT SPEAKER TO BE FOLLOWED BY JOHN EMPE.

FOR DECADES WE HAVE PAID FOR OUR -- PAID OUR PROPERTY TAXES AND BEEN TREATED IN LESS THAN A HUMANE WAY. IN MY PARTICULAR CASE MY HUSBAND AND I ENTREATED YOU ON NUMEROUS OCCASIONS TO DO SOMETHING ABOUT THE DRAINAGE PROBLEM THAT YOU HAD ALLOWED TO DEVELOP. OUR ENTREATIES WERE IGNORED AND WE WERE SUBSEQUENTLY FLOODED. NOW YOU WISH TO BUY US OUT WITH THE PROSPECT OF SOME DEVELOPMENT IN THE FUTURE. NO DOUBT THE PRICE YOU PROPOSE TO PAY WILL ALLOW YOU TO RESELL OUR PROPERTY FOR A HANDSOME PROFIT. YOU THIS WILL PREVENT THE POSSIBILITY OF NEW HOMES BEING BUILT ON OUR LAND. IT'S ALREADY ILLEGAL. WE WOULD NOT BE ABLE TO GET A BUILDING PERMIT EVEN IF WE WANTED ONE. AND WE DON'T. I DO NOT WISH TO SELL TO A CITY GOVERNMENT THAT HAS TREATED ME IN SUCH A CAVALIER MANNER ONLY TO SEE THEM TURN A PROFIT. I WOULD FAR RATHER WAIT UNTIL SUCH TIME AS A DEVELOPER SEES THE OPPORTUNITY FOR COMMERCIAL DEVELOPMENT AND THEN I'LL SEE THE PROFIT FOR MYSELF. IT MAY BE AN INCONVENIENCE TO YOU PEOPLE, BUT THAT DOESN'T CONCERN ME. IT WAS

INCONVENIENT TO BE FLOODED. IN ADDITION, THERE ARE QUESTIONS I HAVE REGARDING THE FIGURES YOU ARE USING FOR ADMINISTRATION IN YOUR LITTLE GRAPH. YOU SET IT AT \$18,814 FOR EACH OF MY FOUR PROPERTIES. JUST WHAT KIND OF ADMINISTRATION COSTS \$223,256, OR IS THIS AMOUNT OF MONEY TO BE SPENT ON ANOTHER OF YOUR INFAMOUS STUDIES? I ASK YOU TO SPEAK WITH ME PRIVATELY AND ACCESS MY CONCERNS PERSONALLY AND TO TREAT ME WITH SOME MODICUM OF THE RESPECT I DESERVE BE AS A SANGIENT BEING. NOTHING LESS WILL SUFFICE. IF YOU SINCERELY WISH TO MAKE AN EQUITABLE SETTLEMENT REGARDING MY PROPERTY. CERTAINLY YOU HAVE NOT FORGOTTEN THAT WE HAVE FILED SUIT FOR \$61 MILLION. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] TO DRIVE US OFF FOR DEVELOPMENT DEAL, IT'S NOT GOING TO HAPPEN. ALL RIGHT? PERHAPS YOU ARE NOT GOING TO SETTLE FOR A LITTLE LOBBYING CONTRACT LIKE THAT SCUM KIRK WATSON DID. YOU HAVE YOURSELF A NICE DEVELOPMENT DEAL AS A GOING AWAY PRESENT FROM CITY GOVERNMENT, THINK AGAIN! NOT HERE, YOU WILL HAVE TO GET IT SOMEPLACE ELSE, MAYBE SOMEPLACE OVER ON THE WEST SIDE, NOT HERE! FOR THOSE OF YOU WHO ARE NEW TO THIS LITTLE PARTY, ALL RIGHT, IT'S GOING TO BE YOUR FIRST OPPORTUNITY TO JOIN IN THE CITY'S CRIMINAL CONSPIRACY TO DEFRAUD THE PUBLIC, FALSIFY GOVERNMENT DOCUMENTS AND GENERALLY CALL ON THEIR BELLY LIKE A SNAKE. WELCOME, GO AHEAD. IT WILL GIVE YOU THE OPPORTUNITIES TO ADD YOUR NAMES AS WELL TO THE LAWSUIT INDIVIDUALLY. WE'VE HAD ENOUGH. WE HAVE HAD ENOUGH. ALL RIGHT. WE HAVE FOUGHT YOU FOR THE LAST DECADE, WE WILL FIGHT YOU FOR ANOTHER DECADE. ALL RIGHT? WE HAVE FOUGHT THROUGH ADMINISTRATIONS, WE HAVE GONE THROUGH MAYORS LIKE WATER. ALL RIGHT? SEE YOU LATER, WE'LL TAKE ON THE NEXT ONE. AS LONG AS IT TAKES, AS MUCH AS IT TAKES. THE WHOLE BUNCH OF YOU CAN JUST GO DIG -- GO AND SUCK A BIG FAT -- LEMON. HA SLAM EAT THAT.

THANK YOU. SORRY WE'VE MADE YOU WAIT THREE HOURS TO GIVE US THAT TESTIMONY.

AFTER 12 YEARS!

DONNY [INDISCERNIBLE] OUR NEXT SPEAKER, FOLLOWED BY TERRY BRUCE. TO BE FOLLOWED BY BILLY ACHERS. YOU ARE WELCOME TO ADD US SIR, YOU'VE BEEN KIND ENOUGH TO WAIT ALL EVENING. OKAY. COUNCIL, THAT'S ALL OF THE FOLKS WHO SIGNED UP WISHING TO GIVE US TESTIMONY IN THIS POSTED PUBLIC HEARING. QUESTIONS, COMMENTS? I GUESS I DO HAVE SEVERAL QUESTIONS FOR STAFF. THIS IS THE FIRST TIME THAT I HAVE SEEN THIS PRESENTATION. I THINK IT WAS -- IT WAS MS. ACHERS EARLIER. SORT OF WATCHED US THROUGH HER LENGTHY HISTORY OF -- OF ESSENTIALLY BEING TOLD, YOU KNOW, THAT HER PROPERTY WOULD BE PURCHASED. I KNOW THAT OCCASIONALLY THERE'S AN ITEM ON OUR COUNCIL WHERE WE HAVE PURCHASED, YOU KNOW, RANDOM PROPERTY HERE OR THERE AS PART OF WHAT I HAVE PRESUMED WAS SOME TYPE OF NOISE MITIGATION EXISTING NOISE MITIGATION PROGRAM. HOW IS THIS DIFFERENT THAN APPARENTLY SOME ADDITIONAL -- SOME FUNDS THAT WE HAVE OR HAVE BEEN SPENDING OVER THESE LAST FEW YEARS ON ACQUISITION?

WELL, MR. MAYOR, REGARDING THE JET LANE PATTON AVENUE AREA, WE ARE TALKING ABOUT MULTIPLE TRACKS THAT ARE RELATIVELY SMALL IN SIZE. WE GO AND LOOK AT A NEIGHBORHOOD THAT'S IMPACTED, IN THIS CASE IT BISECTS THE ENTIRE NEIGHBORHOOD. IT WOULD NOT MAKE SENSE TO GO AFTER SELECTED PIECES OF PROPERTIES. WHAT WE PREFER TO DO IS GO AHEAD AND PURCHASE THE PROPERTIES IN CONTINUUM, AS A WHOLE. THE REASON FOR THAT IS WHEN WE GO AHEAD AND CHANGE THE LAND USE FROM RESIDENTIAL TO COMMERCIAL WE CAN ACTUALLY GO AHEAD AND RESELL THAT PROPERTY. IT'S VERY HARD TO GO AHEAD AND RESELL A TRACT OF PROPERTY THAT IS JUST RESIDENTIAL. IN OTHER WORDS, IF WE HAVE A VERY NARROW TRACT WE CANNOT RESELL THAT FOR COMMERCIAL USE. WE LOOK AT CONTINUITY OF THE NEIGHBORHOOD WHEN WE GO AHEAD AND PURCHASE. WE HAVE DONE THE SAME AT THE SOUTH END OF THE AIRPORT.

Mayor Wynn: AN EXAMPLE OF WHERE WE ACTUALLY PURCHASED RESIDENTIAL PROPERTY THAT IS IMPACTED BECAUSE OF THE NOISE?

YES, SIR.

Mayor Wynn: AND THEN WE CHANGED THE LAND USE AND SELL IT?

YES, SIR. WHAT WE DO IS IT'S SOLD AT FAIR MARKET VALUE. IT'S ACTUALLY PUT OUT FOR -- FOR BIDS.

DOES THE -- DOES THE PREVIOUS OWNER SOMEHOW SHARE THAT UPSIDE OR IS THERE --

THERE'S NO PROFIT MADE, SIR. ACTUALLY WHAT IT IS WE ARE -- WE SELL THE PROPERTY AT FAIR MARKET VALUE AND ACTUALLY IN SOME CASES I THINK IF YOU WERE A RESIDENTIAL OR A LAND -- SOMEBODY THAT'S SELLING PROPERTY, YOU ARE ACTUALLY CONSIDERED LOSING MONEY IN THE DEAL. WE ARE SELLING -- WE ARE RESELLING THAT PROPERTY WITH A COMMERCIAL ZONING AND -- AND IT'S SOLD AT FAIR MARKET VALUE.

SO WE ARE NOT MAKING MONEY ON THE DEAL IF THAT'S THE --

Mayor Wynn: HOW DO YOU KNOW -- YOU DON'T KNOW THAT -- SO YOU KNOW WHAT YOU PURCHASED IT FOR. I MEAN, WHAT IF -- IF YOU PURCHASE LAND RESIDENTIAL PRICE AND THEN YOU REZONE IT COMMERCIAL AND SELL IT, HOW DO YOU -- HOW CAN YOU STATE THAT THERE IS NOT GOING TO BE A PROFIT. IT COULD GO EITHER WAY, BUT THE MARKETS VARY FREQUENTLY, BUT -- BUT IS IT SOMEHOW BY LAW YOU CAN'T SELL IT FOR MORE THAN WHAT YOU PAID FOR IT? IS THAT PART OF THIS PROGRAM OR --

WELL, BASICALLY IT'S BASED ON APPRAISED VALUE AND THAT'S BASICALLY WHAT WE GO OFF OF. WE ARE NOT SELLING IT AT A PROFIT.

IF YOU SELL IT FOR MORE THAN YOU HAVE BROUGHT IT FOR, IT'S A PROFIT.

WE HAVE SOME STAFF ON HAND THAT'S ACTUALLY MORE INVOLVED WITH THE ACTUAL PURCHASE. I WOULD LIKE TO HAVE THEM COME AND ADDRESS THAT MORE SPECIFICALLY

IF THAT WOULD BE OKAY.

OF COURSE. COUNCILMEMBER LEFFINGWELL.

ALL RIGHT. COULD I ASK YOU A QUESTION? BEFORE YOU LEAVE. ARE YOU SAYING THAT YOU PAY THE RESIDENTS A RICE FOR THEIR PROPERTY THAT'S BASED ON THE COMMERCIAL RESALE VALUE OF IT? THEREFORE IT'S THE SAME AS WHAT YOU WOULD SELL IT FOR? IS THAT WHAT YOU ARE TRYING TO SAY?

I'M LYNN DO YOU RUBY, I'M WITH PUBLIC WORKS REAL ESTATE VISION AND MAYBE I CAN ANSWER SOME OF THOSE QUESTIONS. ON THE PROPERTIES THAT WE HAVE BEEN PURCHASING WE HAVE AN APPRAISAL PERFORMED ON THE PROPERTY FIRST. OF COURSE LOOKS AT WHAT PROPERTIES THEY ARE SELLING FOR IN THE NEIGHBORHOOD. THEY COME UP WITH FAIR MARKET VALUE.

FOR WHICH USE? FAIR MARKET VALUE FOR --

BUT IT'S -- WHAT WE HAVE TO LOOK AT, THAT'S THE FEDERAL GUIDELINES, WE DO NOT LOOK AT IT -- I MEAN WE LOOK AT IT DIFFERENT WAYS, BUT MOST OF THE TIME WHATEVER THE HIGHEST AND BEST USE IS. THAT HAPPENS USUALLY TO BE RESIDENTIAL IF THAT'S WHAT WE ARE PURCHASING. OKAY? THEN WHAT HAPPENS WE DO MAKE THE OFFER OF THE FAIR MARKET VALUE BUT WHAT ALSO HAS TO BE -- TO BE TAKEN INTO CONSIDERATION WE ALSO AT THE SAME TIME, THE PROPERTY OWNER, WHOEVER THE OCCUPANTS ARE, WE ALSO HAVE TO LOOK AT WHAT IT WILL TAKE FOR THEM TO RELOCATE TO ANOTHER PROPERTY IN THE AREA. SO ON TOP OF THAT, WE MAKE OFFERS OF RELOCATION ASSISTANCE. SO -- SO THAT IT JUST DEPENDS, EXCUSE ME, IF I CAN JUST GIVE AN EXAMPLE, SAY THAT A PROPERTY IS WORTH \$10,000, EVEN IF IT IS BELOW STANDARDS OF WHAT MAYBE IS DECENT, SAFE, SANITARY TO THE REST OF US, WE MAKE AN OFFER TO SOMEBODY FOR \$10,000. WE HAVE TO LOOK AT WHAT WILL IT TAKE FOR THAT FAMILY TO GO IN AND OCCUPY ANOTHER HOUSE IN THE AREA OUTSIDE OF THE NOISE CONTOURS. SO WE LOOK AT THREE DIFFERENT PROPERTIES AND THIS IS ALL BASED ON FEDERAL REGULATIONS. AND IF A HOUSE IS GOING TO

SAY TO GET THEM INTO -- OF COURSE I KNOW THIS ISN'T REALLY POSSIBLE IN AUSTIN, BUT ABOUT 50,000 JUST AS AN EXAMPLE, IT'S -- IT'S WHAT WE LOOK AT IS THAT WE ARE GOING TO GIVE THEM 10,000 FOR THEIR PROPERTY AND THEN WE WOULD GIVE THEM ANOTHER 40,000 IN RELOCATION ASSISTANCE IN ORDER TO TAKE UP THE SHORTFALL FOR THEM TO BE ABLE TO GET INTO ANOTHER HOUSE. NOW, THEY DO HAVE TO ACTUALLY BUY THE PROPERTY IN ORDER TO GET THAT RELOCATION ASSISTANCE. WE DON'T JUST GIVE THEM THE 40,000. IT HAS TO BE USED TOWARDS HOUSING. SO WHEN YOU ASK ARE WE GOING TO MAKE A -- YOU KNOW, A PROFIT OFF OF WHEN WE TURN AROUND AND SELL THE PROPERTY, NO. BY FAR IT DOESN'T HAPPEN THAT WAY. WE HAVE ALREADY SOLD A WHOLE SUBDIVISION OUT SOUTHEAST OF THE AIRPORT, WHICH WAS JUST THE FAIR MARKET VALUE OF THE VACANT TRACT OF LAND. AND IT'S MUCH LESS THAN WHAT THE AIRPORT PUT INTO IT. WHEN YOU TAKE INTO CONSIDERATION THE ACQUISITION, THE RELOCATION, THE ADMINISTRATION OF DOING THE PROJECT, THE DEMOLITION AND OF COURSE TURNING AROUND AND MARKETING THE PROPERTY TO RESELL IT AS VACANT LAND, BY FAR IT'S NOT A PROFIT SCHEME FOR THE CITY. THAT'S NOT THE INTENT. BUT IT IS A REGULATION THAT NOISE COMPATIBILITY PROGRAMS THAT THE F.A.A. PUTS ON NOISE COMPATIBILITY PROGRAMS THAT WE DO HAVE TO TURN AROUND AND RESELL THE PROPERTY FOR A COMPATIBLE LAND USE. HOPEFULLY THAT HELPED A LITTLE BIT.

Mayor Wynn: WELL, THERE'S CLEARLY A SCENARIO WHERE YOU PAY RESIDENTIAL PRICE FOR LAND, REZONE IT COMMERCIAL AND SELL IT FOR MORE THAN YOU PAID FOR IT. SELL IT FOR A PROFIT.

I'M SORRY?

Mayor Wynn: THERE IS A SCENARIO WHERE YOU PURCHASE LAND, I USED TO DO THIS PROFESSIONALLY, FOR RESIDENTIAL PRICE, REZONE IT TO COMMERCIAL, IT'S MORE VALUABLE, THEN YOU SELL IT FOR FAIR MARKET VALUE, BUT YOU ARE SELLING IT FOR MORE THAN WHAT YOU PAID FOR IT.

IF YOU ARE LOOKING AT JUST THE ACQUISITION PROPERTY, THE AMOUNT WE PUT INTO THE ACQUISITION ONLY. I'M THINKING ABOUT THE LINDA VISTA SUBDIVISION. I DON'T HAVE EXACTLY WHAT THE ACQUISITION ALONE AND NOT LOOKING AT WHAT WE GIVE THE PROPERTY OWNERS OR THE TENANTS AND RELOCATION ASSISTANCE. MY GUESS WOULD STILL BE THAT WE -- YEAH. I KNOW THAT WE WOULD HAVE PAID MUCH MORE THAN WHAT WE GOT OUT OF IT. I THINK WE GOT 250,000 FOR THE PROPERTY AROUND THERE. MAYBE A LITTLE BIT MORE. I KNOW IT WAS LESS THAN 300 FOR 22-ACRES AND WE PUT IN APPROXIMATELY 4.5 MILLION. INTO IT. BUT I'M TAKING INTO CONSIDERATION THE RELOCATION ASSISTANCE, ALSO AND ALL OF THE OTHER ITEMS.

Mayor Wynn: WE LOST MONEY IN THAT 10 TO ONE --

WELL, WE DON'T LOOK AT IT AS A REAL ESTATE SCHEME -- IT IS A PROGRAM, ITZA GUIERREZ THE -- IT'S THE F.A.A.'S PROGRAM.

Mayor Wynn: I GUESS I'M CONFUSED WHAT WE ARE BEING ASKED TO DO HERE. WE HAVE RECEIVED PUBLIC TESTIMONY AND THEN WHAT ARE YOU ALL ASKING US TO DO?

WELL, THE 10 RECOMMENDATIONS THAT WERE PART OF THE PRESENTATION EARLIER ARE WHAT WE ARE LOOKING TO GET APPROVAL ON. THOSE PRESENTATIONS -- THOSE RECOMMENDATIONS ARE GOING TO BE FORWARDED TO THE F.A.A. WHAT WE ARE TRYING TO DO IS CONTINUE THE PROGRAM THAT WE CURRENTLY HAVE. THAT WILL ALLOW US THE ABILITY TO CONTINUE WITH PROPERTY ACQUISITION, MAINTAINING THE NOISE, FLIGHT TRACK MONITORING SITUATION, MAINTAIN THE NOISE DEPARTMENT PROVIDING PUBLIC OUTREACH, CONTINUING WITH THE EXISTING PROGRAM. WHAT WE NEED IS THE COUNCIL'S APPROVAL OF THE RECOMMENDATIONS THAT ARE BEING SET FORTH.

Mayor Wynn: QUESTIONS, COMMENTS, COUNCIL? I'LL JUST SAY I'M -- I DIDN'T SPECIFICALLY ASK FOR A BRIEFING ON THIS HE-- SORRY. I'M NOT COMFORTABLE MOVING FORWARD THIS EVENING. REALLY, I'M ALSO NOT EVEN UNDERSTANDING PERHAPS THE DIFFERENCE BETWEEN

WHAT SEEMS TO BE THIS VERY SPECIFIC NOISE PROGRAM VERSUS WHAT SEEMS TO BE JUST AN ONGOING FUND OR PROGRAM THAT WE HAVE GOING. BECAUSE I CAN REMEMBER VOTING ON AN OCCASIONAL ACQUISITION, A COUPLE ON THE EASTSIDE OF 183 -- WEST SIDE OF 183 THERE ALONG, YOU KNOW, ALONG THE WEST SIDE OF THE AIRPORT. JUST RANDOM PROPERTY HERE AND THERE EVERY FEW MONTHS. I GUESS MY QUESTION IS IF WE HAD THE FUNDS FOR THOSE ACQUISITIONS, YET THERE ARE PEOPLE HERE WHO APPARENTLY WERE TOLD YEARS AND YEARS AGO THAT THEIR PROPERTY WOULD BE PURCHASED, YOU KNOW, WHY WAS THE PROPERTY ON THE WEST SIDE OF 183 CHOSEN, YOU KNOW, TWO AND A HALF YEARS AGO WHEN ONE OF THESE OTHER ONES HERE WASN'T.

WELL, THE CASE SPECIFICALLY THIS EVENING, THAT PROPERTY WAS NOT INCLUDED IN THE LAST NOISE STUDY. IT WAS NOT PART OF THE 65 DECIBEL CONTOUR, THAT'S THE DIFFERENCE. WE CAN ONLY GO AFTER THE PROPERTIES THAT ARE WITHIN THE 65-DECIBEL CONTOUR PER F.A.A. REGULATIONS. SO THAT'S -- THAT'S WHY THE PROPERTY WAS NOT PURCHASED PRIOR TO -- WITH THE ASSISTANCE OF THE 80% SHARE OF FEDERAL DOLLARS.

QUESTIONS, COMMENTS? SO MR. GARZA IS TRYING TO GIVE ME SOME QUICK FEEDBACK, BUT WHAT ARE THE TIME CONSTRAINTS? ARE YOU ALL UNDER SOME TYPE OF, YOU KNOW, FORMATTED PROGRAMMATIC STRUCTURE WHEREBY ONCE YOU START A PROCESS YOU HAVE TO HAVE IT COMPLETED BY A CERTAIN NUMBER OF MONTHS OR ONCE YOU GET PUBLIC FEEDBACK, ONCE YOU HAVE A COUPLE OF PUBLIC HEARINGS, THEN YOU HAVE JUST A FEW WEEKS OR MONTHS TO FINALIZE SOME DOCUMENTATION WITH THE F.A.A. AND WHAT -- WHAT TIME CONSTRAINTS, IF ANY, ARE YOU UNDER FOR OUR ACTION?

WELL, AT THIS POINT HERE WHAT WE ARE DOING IS -- AS RON MENTIONED EARLIER, WE HAVE TO BASICALLY TAKE THE -- THE RESULTS OF TODAY'S MEETING, INCORPORATE THAT INTO THE DOCUMENT AND THEN BUNDLE THAT UP AND SEND IT OFF TO THE F.A.A. THEY HAVE A SIX-MONTH WINDOW WHERE THEY CAN GO AHEAD AND REVIEW THE DOCUMENTS. SO THE SOONEST THAT WE WOULD HEAR

BACK FROM THEM IS POSSIBLY JANUARY. WHAT WE ARE TRYING TO DO IS KEEP THE PROGRAM CONTINUOUS. WE WOULD LIKE TO HAVE THE F.A.A. SUPPORT ON A CONTINUOUS BASIS SO THAT WE CAN CONTINUE TO SUBMIT THE GRANT MONEY OR THE GRANT REQUEST FOR THE MONEY SO THAT WE CAN GET SOME OF THESE FOLKS THAT ARE IN THE NOISIER PARTS OF THE FLIGHT PATHS OUT OF THEIR HOMES IF THEY PREFER SO THAT THIS WAY WE CAN GO AHEAD AND RELIEF AND LESSEN THAT IMPACT OF NOISE ON THE SURROUNDING COMMUNITIES. SO THE LONGER WE KEEP PUTTING THAT OFF, THE LONGER WE HAVE -- THE MORE TIME IT TAKES FOR US TO APPLY FOR THE GRANT, HAVE THE MONEY IN HAND AND ACTUALLY START THE PROCESS. WE ARE TRYING TO KEEP THAT PROGRAM BASICALLY UNINTERRUPTED. THE F.A.A. FUNDS ON A FIVE-YEAR CYCLE. THAT'S WHY IF YOU HAVE NOTICED THAT WE HAVE A 2007 MAP AND A 2012. THEY HAVE A FUNDING SYSTEM THAT RELIES ON A FIVE-YEAR PROGRAM. SO WE ARE TRYING TO MAINTAIN THAT -- THAT CONTINUATION OF ACQUISITIONS.

SO WAS THE LAST PROGRAM I GUESS 2002?

YEAH, BASICALLY. 2001.

Mayor Wynn: IS THERE ANY MONEY LEFT IN THAT FUND NOW?

I DON'T KNOW WHAT THE BALANCE IS AT THIS POINT. BUT WE ARE GETTING CLOSE TO FINISHING UP THAT PARTICULAR PROGRAM.

FURTHER QUESTIONS, COMMENTS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: SO THE LAND ACQUISITION AREA CHANGES AS THE NOISE PATTERN, 65 DB LINE I BELIEVE IS WHAT YOU REFERRED TO IT AS, IS THAT PROFILE MOVES AND INCLUDES A WIDER AREA, YOU INCLUDE MORE AREA IN YOUR PURCHASE PLAN?

WELL, ACTUALLY THE CURRENT NOISE CONTOURS HAVE ACTUALLY SHRUNK SOMEWHAT. THE ONLY GROWTH THAT WE SAW IN THE CONTOURS WAS UP PRIMARILY ON THE

NORTHWEST SIDE OF THE AIRPORT. WITH THE INTRODUCTION OF QUIETER AIRCRAFT, THAT IS SOMETHING THAT WE EXPECT TO CONTINUE TO HAPPEN, GRANTED ONE OF THE FACTORS THAT ENTERS INTO HOW THE CONTOURS ARE GENERATED IS ALSO BASED ON A NUMBER OF OPERATIONS. SO THIS -- THERE IS THAT TRADEOFF. WE CURRENTLY HAVE -- HAVE THE AIRPORT OVERLAY ZONE ESTABLISHED FOR THE AIRPORT AND -- AND YOU ARE ASKING IF THE CONTOUR STRENGTH OR INCREASE WOULD CHANGE, NO THAT WOULD NOT.

WHAT HAPPENED TO THE NOISE SUPPRESSION PROGRAM, AIRPLANE NOISE SUPPRESSION PROGRAM THAT THE FEDERAL GOVERNMENT HAD FOR AIRPLANES, WHAT HAPPENED TO THAT.

YOU ARE REFERRING TO THE STAGE 3 COMPLIANCE.

Leffingwell: YES.

ACTUALLY THAT WAS ENACTED IN THE END OF 1999, PARTS OF 2000. ALL AIRCRAFT AFTER THAT HAD TO BE ALL STAGE 3 COMPLIANT.

Leffingwell: THEY ARE ALL NOW?

YES, THEY ARE.

SEEMS TO ME THAT THE HAZARDOUS NOISE OR DANGEROUS NOISE PROFILE SHOULD HAVE SHRUNK SINCE 1999.

GENERALLY SPEAKING, YES. BUT AGAIN AS PART OF THE INTEGRATED NOISE MODEL, WE ALSO HAVE TO INCLUDE A NUMBER OF OPERATIONS, THE TIME OF DAY, AND SO FORTH. SO THOSE ARE THINGS THAT ALSO IMPACT THE NOISE -- THE NOISE -- NOT JUST THE FACT THAT IT'S A STAGE 3 AIRCRAFT OR [INDISCERNIBLE]

DO WE HAVE ANY NOISE ABATEMENT FLIGHT PROFILES PRESCRIBED AS AUSTIN-BERGSTROM INTERNATIONAL RIGHT NOW, OR ALL JUST STRAIGHT IN STRAIGHT OUT.

WE DO HAVE FLIGHT TRACKS SIR, YES.

ONE MORE QUICK QUESTION. YOU SAID THERE COULD POSSIBLY BE A GAP IN THE PROCESS OF ACQUISITION. IF THIS RESOLUTION WERE NOT PASSED AND FORWARDED TO THE FEDERAL GOVERNMENT ON TIMELY BASIS. DID I UNDERSTAND THAT CORRECTLY.

GENERALLY SPEAKING YES, IT'S GOING TO CREATE A LITTLE BIT OF A DELAY IN -- IN BEING ABLE TO APPLY FOR THE GRANT MONEY, YES.

ASSISTANT CITY MANAGER, MAYOR, TALK TO STAFF AND BASED ON THE -- ON THE QUESTIONS THAT I BELIEVE WE WOULD BE BEST SERVED TO HAVE MORE TIME TO GIVE YOU THE INFORMATION THAT YOU HAVE ASKED FOR TONIGHT, GIVE YOU MORE INFORMATION ON THE BACKGROUND OF THIS PROGRAM. WE COULD -- WE COULD POSTPONE THIS ITEM FOR FURTHER CONSIDERATION FOR THE 7th OR THE 24th BASED ON BEING ABLE TO SATISFY THE QUESTIONS THAT WE HAVE BEEN ASKED TONIGHT, I WOULD LEAVE THAT UP TO YOU. WE CAN WORK WITH THAT SCHEDULE NOT HAVE A PROBLEM OR DISRUPTION IN OUR PROGRAM PROGRAM.

I'LL MOVE TO CLOSE THE PUBLIC HEARING AND POSTPONE ACTION UNTIL JUNE 7th.

MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY THE MAYOR PRO TEM TO CLOSE THIS PUBLIC HEARING, MAKE SURE THAT WE DOCUMENT THE CITIZEN INPUT THAT WE RECEIVED, YET POSTPONED ACTION ON THIS UNTIL OUR NEXT COUNCIL MEETING, WHICH IS JUNE 7th 7th, 2007. FURTHER COMMENTS? I WOULD SAY AGAIN I APOLOGIZE FOR NOT HAVING ASKED FOR A BRIEFING ON THIS ITEM BEFORE, BUT -- BUT I'LL TAKE ADVANTAGE OF THE TWO WEEKS TRYING TO GET MORE SPECIFIC INFORMATION ABOUT -- FROM ALL OF THE OPPORTUNITIES FOR FOLKS TO - - WHO WANT TO SELL THEIR PROPERTY. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING AND POSTPONE ACTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER COLE OFF THE DAIS. MS. SPENCE, IS THAT OUR AGENDA? THERE BEING NO MORE ITEMS BEFORE THE COUNCIL AGENDA, WE NOW STAND ADJOURNED IT IS 9:22 P.M. THANK YOU VERY MUCH.

**End of Council Session Closed Caption Log**